



**MILTON**

**Town of Milton**

**Comprehensive  
Zoning By-Law  
016 – 2014**

**(HUSP URBAN AREA)**

**Date of Adoption:  
February 24, 2014**

**Approved by the Ontario  
Municipal Board: October 16, 2014**

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## **PREAMBLE**

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### **Introduction**

These pages explain the purpose of this Zoning By-law and how it should be used. These pages do not form part of the Zoning By-law passed by *Council* and are intended only to make the Zoning By-law more understandable and easier to reference.

### **Purpose of This Zoning By-law**

The purpose of this Zoning By-law is to implement the policies of the Town of Milton Official Plan. The Official Plan contains general policies that affect the *use* of land throughout the municipality. These policies specify where certain land *uses* are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The Official Plan is a general document that is not intended to regulate every aspect of the built-form on a private *lot*. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by *Council* must conform to the Official Plan. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature are to remain in their natural state, the Zoning By-law would prohibit the erection of *buildings* or *structures* on those lands.

The statutory authority to *zone* land is granted by the Ontario Planning Act. The Planning Act specifies what a By-law can regulate. A Zoning By-law can:

- prohibit the *use* of land or *buildings* for any *use* that is not specifically permitted by the By-law;
- prohibit the erection or siting of *buildings* and *structures* on a *lot* except in locations permitted by the By-law;
- regulate the type of construction and the *height*, bulk, location, size, floor area, spacing, and *use* of *buildings* or *structures*;
- regulate the minimum *frontage* and *depth* of a parcel of land;
- regulate the proportion of a lot that any building or structure may occupy;
- regulate the minimum elevation of doors, windows or other openings in *buildings* or *structures*;
- require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and,



- prohibit the *use* of lands and the erection of *buildings* or *structures* on land that is:
  - subject to flooding;
  - the site of steep slopes;
  - rocky, low-lying, marshy or unstable;
  - contaminated;
  - a sensitive groundwater recharge area or head water area;
  - the location of a sensitive aquifer;
  - a significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;
  - a significant corridor or shoreline of a lake, river or stream; or,
  - the site of a significant archaeological resource.

### **How to Use This By-law**

In order to reference this By-law most easily, a property owner should follow each of the steps listed below to determine what permissions apply to their particular property.

#### **1. Table of Contents**

The provisions of this By-law have been numbered using a decimal system of numbering and are referred to as "sections" regardless of the number of digits, for example section 2, section 2.17, section 2.17.1. Some sections are divided into clauses, for example 4.14 (i) is referred to as clause i) of section 4.14. Some are further divided into sub-clauses, for example 4.14 (i) (a) is referred to as sub-clause a) of clause i) of section 4.14.

Wherever reference is made in this By-law to "section 1", "section 2", "section 3", "section 4", "section 5", or "section 6", etc., it shall be deemed to be a reference to all sections having, respectively, 1, 2, 3, 4, 5 or 6, etc. as the first digit.

#### **2. Locate the Property on a Map**

Maps in a Zoning By-law are called 'Schedules'. The first step to using this By-law is to refer to the *zone* schedules that are contained at the back of the By-law to determine in which *zone* category your property is located. The *zone* category will be indicated on the schedules by a colour and in some cases a symbol or abbreviation. For example, you may see a light shade of yellow colour with a symbol such as "RLD" beside your property. This would indicate that your property is within the 'Residential Low Density' *Zone*. The *zone* symbols or abbreviations are explained on the first page of Section 2 of the By-law.

Section 2 also provides assistance to help you identify the *zone* boundaries on the Schedules. For example, if your property appears close to a *zone* boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.5 of the By-law.

#### **3. By-law Amendments**

A Zoning By-law is not a static document; it is amended over time as demands and policies governing land *use* change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law amendment. These amendments are listed in the Special Provisions Section of this By-law. More recent amendments may not be included in the

version of the By-law you are using. Staff in the Town's Planning Department will be able to assist you to confirm if your property has been subject to a more recent By-law amendment.

#### **4. Zone Provisions**

The next step to using this By-law is to determine what *uses* are permitted on your property. Sections 6 to 12 of the By-law identify the permitted *uses* and *zone* standards for each *zone* in the municipality.

The definitions in Section 3 can assist you if you are not sure of the nature of a permitted *use* or how it has been defined for the purposes of this By-law. Words that are defined in Section 3 are *italicized* throughout the By-law.

If a word is not italicized, it is not specifically defined. *Uses* which are not identified as permitted *uses* within a particular *zone* are not permitted in that *zone*. Where a definition is not defined in this By-law, the Merriam - Webster dictionary definition will apply.

You have now identified the *zone* in which your property is located and have identified what *uses* are permitted on your property. The next step is to determine what standards may apply to the *uses* on your property. Sections 6 to 12 of the By-law also identify the *zone* standards for each of the *zone* categories in the municipality including standards for minimum *lot area*, minimum *frontage* requirements, minimum *yard* requirements, maximum *lot coverage* for *buildings*, maximum permitted *height of buildings* and in some cases, the minimum required *landscaped open space* on the *lot*.

#### **5. General Provisions**

Now that you are aware of the *uses* permitted on your property and the specific *zone* standards that apply to those *uses*, reference should be made to Section 4 of this By-law. Section 4 contains a more generic set of standards known as 'General Provisions' that apply to all properties in all *zones* throughout the municipality. For example, the general provisions contain standards that regulate the location of *accessory structures* on a *lot*, *height* exceptions, and *non-conforming/non-complying uses* that apply to all properties regardless of where in the municipality a property is located.

#### **6. Parking and Loading**

There is one final section of the By-law that should be consulted when determining what permissions apply to your specific property. Section 5 provides the parking and loading requirements for all *uses* permitted in the municipality. If you are considering changing the *use* of your property or adding a new *use* to your property, you should review Section 5 to ensure that you are aware of the parking requirements for the proposed *use*.

#### **7. Explanatory Notes**

A series of drawings are provided in the back of this document to assist the reader in interpreting the Zoning By-law provisions. These drawings are for illustration purposes only and do not form part of the actual By-law.

What are *Legal Non-Conforming* and *Legal Non-Complying* For The Purposes Of This By-law?

A *legal non-conforming use* is a *use* of land and/or *building* that legally existed on the date that a prohibiting By-law came into effect under the Planning Act. To be legal, the *use* must have been permitted on the lands in the zoning by-law that was in effect before the prohibiting By-law came into effect. Alternatively, if the *use* has existed on the lands for a considerable number of years, the *use* may be *legal non-conforming* if it was legally established before the first By-law for the Town of Milton or the By-law for the original Township was passed.

A legal non-complying *building* or *structure* is a *building* or *structure* that was legally erected in a location prior to a prohibiting By-law coming into effect under the Planning Act. To be legal, the location of the *building* or *structure* must have been authorized on the lands in the zoning by-law that was in effect at the time the building or structure was erected. Alternatively, if the *building* or *structure* existed on the lands for a considerable number of years, the *building* or *structure* may be legal if it was legally erected before the first by-law for the Town of Milton or the by-law for the original Township was passed.

## Description of By-law Components

This By-law contains fifteen sections, which together, provide the land *uses* and standards applicable to all lands within the municipality. These sections are as follows:

<b>SECTION</b>	<b>TITLE</b>
Section 1	Interpretation and Administration
Section 2	Establishment of <i>Zones</i>
Section 3	Definitions
Section 4	General Provisions
Section 5	Parking and Loading Provisions
Section 6	Residential <i>Zones</i>
Section 7	Commercial <i>Zones</i>
Section 8	Employment <i>Zones</i>
Section 9	Institutional <i>Zones</i>
Section 10	Section Not in Use
Section 11	Natural Heritage and Open Space <i>Zones</i>
Section 12	Future Development <i>Zones</i>
Section 13	Special Provisions, Holding Provisions, Temporary Use <i>Zones</i> & Interim Control <i>Zones</i>
Section 14	Enactment
Section 15	Schedules

The purpose of each of these sections is described below.

### **Section 1 – Interpretation and Administration**

This section of the By-law specifies:

- what lands are covered by the By-law;
- that every parcel of land in the area covered by the By-law is to conform and comply with the By-law; and,
- what penalties can be levied against a person or a corporation if they contravene any provision in the By-law.

### **Section 2 - Establishment Of Zones**

This section establishes the *Zones* that apply to the lands covered by the By-law. This section also describes how to determine the location of the *Zone* boundaries on the schedules.

### **Section 3 - Definitions**

It is necessary to define words in a Zoning By-law because it is a legal document. A By-law must be drafted so that it can be enforced in a court of law. These definitions will help provide clarity in the By-law and ensure that the By-law and its intent are applied consistently.

### **Section 4 - General Provisions**

This section contains a number of regulations that apply to certain types of *uses*, *buildings* or *structures* regardless of where in the municipality or in what *zone* they are located. For example, this section contains provisions dealing with the construction of *decks* in any *zone*, or provisions to regulate the operation of home industries.

### **Section 5 – Parking and Loading**

Parking and loading facilities are required for almost all *uses* within the municipality. This section provides the requirements for these facilities including such regulations as the number of spaces required for residential and commercial *uses*, minimum *driveway* width, minimum *parking space* size and the location of parking facilities on a *lot*.

### **Sections 6 to 11– Zone Provisions**

Sections 6 to 11 identify the *uses* that are permitted in each *Zone* category. The effect of these *Zones* is to only permit certain *uses* in various parts of the municipality. The only *uses* permitted in a *zone* are those that are specified in the By-law. If a *use* is not specifically mentioned as a permitted *use* in a *Zone* then it is not permitted. Similarly, if a *use* is defined in Section 3.0 of the By-law but does not appear as a permitted *use* in any *zone*, then it is not a *use* permitted by the By-law.

Sections 6 to 11 also contain a number of regulations that control the placement, bulk and *height* of a *building* on a *lot*. This includes regulations such as minimum *lot* size, minimum *frontage*, maximum *building height* or the maximum coverage of a *building* on a *lot*.

Finally, these sections contain a listing of property specific exceptions to the By-law that have been granted by *Council* for individual or groups of properties. For example, the minimum *front yard* in a *zone* may be 7.5m. The required *front yard* may be reduced to a lesser number if deemed appropriate and the mechanism to accomplish this reduction is by amending the By-law and excepting the property from the general standard. Exceptions are denoted on the *Zone Schedules* by the *Zone* symbol designating certain lands followed by a star and a number, for example RLD\*1.

### **Section 12 – Future Development Zone**

This section identifies lands which have no immediate development potential, however the lands indicated by this *zone* will ultimately be rezoned to permit some form of urban development in the future once the required secondary plans and development plans among other matters have been approved.

**Section 13 – Special Provisions**

This Section provides a consolidated list of properties that are subject to Special Provisions, Holding Provisions, Temporary *Use Zones* and Interim Control By-laws.

**Section 14- Enactment**

This section contains the signatures of the Mayor and the Clerk who signed the By-law when it was passed by *Council* in accordance with Section 34 of the Planning Act, R.S.O. 1990 c.P. 13.

**Section 15- Schedules**

This section contains the schedule(s) mapping that forms part of this By-law

**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW NUMBER – 016-2014**

BEING A BY-LAW TO REPEAL COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, ONLY WITH RESPECT TO LANDS IDENTIFIED AS URBAN AREA ON SCHEDULE A TO THIS BY-LAW.

**WHEREAS** the Council of the Corporation of the Town of Milton is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, as amended;

**AND WHEREAS** the Council of the Corporation of the Town of Milton wishes to ensure that the 1997 Official Plan, as amended, is appropriately implemented and updated by a by-law passed under Section 34 of the Planning Act, as amended;

**AND WHEREAS** the administration of planning in the Town will be greatly improved as a result of the passage of a new Comprehensive Zoning By-law for the HUSP Urban Area;

**AND WHEREAS** the Council of the Corporation of the Town of Milton has carefully considered all public comments throughout the process;

**AND WHEREAS** it is now deemed desirable and in the public interest to adopt a new Comprehensive Zoning By-law for the HUSP Urban Area;

**NOW THEREFORE**, the Council of the Corporation of the Town of Milton hereby enacts as follows:

## **SECTION 1 INTERPRETATION AND ADMINISTRATION**

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### **1.1 TITLE**

This By-law may be referred to as the “Town of Milton Zoning By-law – HUSP Urban Area”. The provisions of this Urban Area By-law shall apply throughout the Corporation of the Town of Milton, to lands identified on the Zoning Map for the HUSP Urban Area, being Schedule A to this By-law, and generally bounded by No. 5 Side Road to the north, Sixth Line to the east, Britannia Road to the south and Tremaine Road to the west and shown on Schedule A to this By-law.

Notwithstanding the above, this By-law does not apply to the following lands:

Any other lands identified on Schedule ‘A’ of this By-law as being subject to By-law 144-2003, as amended;

### **1.2 ADMINISTRATION**

- i) This By-law shall be administered by the Chief Building Official of the Town of Milton or his or her designate;
- ii) Where the Chief Building Official or his or her designate has reason to believe that any person has used land or erected or used any *building* or *structure* in contravention of this By-law he or she or his or her designate, may at any reasonable hour enter and inspect any land or *building* or *structure* in respect of which it is believed the contravention is occurring, subject only to any other requirement at law;

### **1.3 ILLUSTRATIONS**

Illustrations provided in the Appendix to this By-law are for the purposes of clarification and convenience and do not form part of this By-law.

### **1.4 CONFORMITY AND COMPLIANCE WITH BY-LAW (058-2019)**

No person shall *use*, effect or alter any lands, *buildings*, or *structures* unless the *use*, land or *building* defined or otherwise, is specifically permitted in accordance with the provisions of this By-law.

No change may be made in the type of *use* of any land, *Building* or *Structure* within any *zone* category without first having applied for and obtained a Certificate of Occupancy (Zoning) from the Chief Building Official or his or her designate to the effect that the proposed *use* is not contrary to this By-law. Notwithstanding the above, no Certificate of Occupancy (Zoning) shall be required by a Public Authority or for any type of dwelling



unit with the exception of Bed and Breakfast Establishment, Cottage Industry, Retirement Dwelling, Home Industry, Home Occupation, Shared Housing, and Short-Term Rental.

Nothing in this By-law shall exempt any person from complying with the requirements of any By-law in force within the Town, or from obtaining any *building* permit, license, permission, permit, authority or approval required by this or any other By-law of the Town or by any other law in force at the time.

## **1.5 INTERPRETATION**

The provisions of this By-law are the minimum requirements except where a maximum requirement is also specified to apply under this By-law.

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Town of Milton or any requirement of the Region of Halton, Province of Ontario or Government of Canada that may affect the *use* of lands, *buildings* or *structures* in the municipality.

## **1.6 BUILDING PERMITS**

The requirements of this By-law must be met before a *Building* Permit, Certificate of Occupancy, or approval of an application for a municipal license is issued for the *use* of land or the *use*, erection, addition to or alteration of any *building* or *structure*.

## **1.7 ENFORCEMENT**

Any person who contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the Planning Act, R.S.O. 1990, c.P. 13 as amended.

## **1.8 SEVERABILITY**

A decision of a court that one or more of the provisions of this By-law, or any portion of the *Zoning* maps to this By-law, are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

## **1.9 EFFECTIVE DATE**

This By-law shall come into force the day it was passed if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force upon the approval of the Ontario Municipal Board and in accordance with the provisions of the Planning Act as amended.

## **1.10 REPEAL OF FORMER BY-LAWS**

By-law 144-2003 of the Town of Milton and all subsequent amendments relating to the HUSP Urban Area as shown on Schedule A (Zoning Map) are hereby repealed , except with respect to those lands subject to the transition clauses set out in Section 1.11 of this By-law, until such time as Section 1.11 is repealed, and any other lands identified on Schedule 'A' of this By-law as continuing to be subject to By-law 144-2003.

## **1.11 TRANSITION MATTERS**

### **1.11.1 Transition Matters General**

- i) Subject to Section 1.1 and except as provided in transition clauses 1.11.1 to 1.11.4, the provisions of this By-law will otherwise apply.

### **1.11.2 Transition: Site Plan Approval and *Building* Permit Applications (077-2021)(007-2022)(089-2022)**

- i) Nothing in this By-law shall prevent the erection or use of a building or structure for a development for which a complete application for site plan approval and/or building permit was filed on or prior to the date of passage of By-law NO. 081-2020 or 089-2022, whichever by-law applies to the subject property, if the development in question complies or the building permit application for the development is amended to comply, with the provisions of Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 081-2020 or 089-2022, as applicable.
- ii) Nothing in this By-law shall prevent the erection or use of a building or structure for a development for which a complete application for *building* permit was filed on or prior to the date of passage of By-law NO. 077-2021 or 007-2022, whichever by-law applies to the subject property, if the development in question complies or the *building* permit application for the development is amended to comply, with the provisions of Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021 or 007-2022, as applicable.

### **1.11.3 Transition: Minor Variance Applications (077-2021)(007-2022)(089-2022)**

- i) Nothing in this By-law shall prevent the issuance of a building permit or site plan approval in accordance with both Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 081-2020 or 089-2022, whichever by-law applies to the subject property, and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Local Planning Appeal Tribunal, under Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 081-2020 or 089-2022, as applicable, so long as the complete application for the building permit has been filed by the date of compliance with the conditions pursuant to the decision of the

Town of Milton Committee of Adjustment or the decision of the Local Planning Appeal Tribunal.

- ii) Notwithstanding the provisions of Section 1.11.2 i), an application for minor variance associated with a complete application for site plan approval and/or building permit that was filed prior to the date of the passage of By-law NO. 081-2020 or 089-2022, whichever by-law applies to the subject property, can still be made under the provisions of Comprehensive Zoning Bylaw 16-2014, as amended, as it read on the date of passage of By-law NO. 081-2020 or 089-2022, as applicable.
- iii) Nothing in this By-law shall prevent the issuance of a *building* permit in accordance with both Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021 or 007-2022, whichever by-law applies to the subject property, and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Local Planning Appeal Tribunal, under Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021 or 007-2022, as applicable, so long as the complete application for the building permit has been filed by the date of compliance with the conditions pursuant to the decision of the Town of Milton Committee of Adjustment or the decision of the Local Planning Appeal Tribunal.
- iv) Notwithstanding the provisions of Section 1.11.2 iii), an application for minor variance associated with a complete application for exemption to Interim Control By-law NO. 082-2020 or *building* permit that was filed prior to the date of passage of By-law NO. 077-2021 or 007-2022, whichever by-law applies to the subject property, can still be made under the provisions of Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021 or 007-2022, as applicable.

#### **1.11.4 Transition Clause Duration**

- i) Transition Clause Application

Nothing in this By-law applies so as to continue the application of Sections 1.11.1 to 1.11.3 beyond the issuance of the building permit and/or site plan approval upon which the exemptions are founded.

- ii) Transition Clause Duration

In no case do the exemptions mentioned in Clauses 1.11.1 to 1.11.3 continue beyond the repeal of this transition section.

#### **1.11.5 Sunset Clause Relating to Transition Matters (077-2021)(007-2022)(089-2022)**

- i) Sections 1.11.2 i), 1.11.3 i) and 1.11.3 ii) are repealed two years from the date of enactment of By-law NO. 081-2020 or 089-2022, whichever by-law applies to the subject property.

- ii) Sections 1.11.2 ii), 1.11.3 iii) and 1.11.3 iv) are repealed two years from the date of enactment of By-law NO. 077-2021 or 007-2022, whichever by-law applies to the subject property.

**1.12 DEFINITIONS**

Terms that are italicized in this By-law are defined in Section 3 of this By-law.

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## **SECTION 2 ESTABLISHMENT OF ZONES**

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### **2.1 ZONES (38-2019)(081-2020)**

The Provisions of this By-law apply throughout the Town to the extent of all lands contained within the limits of the zone boundaries, as shown on the Zoning Maps for the HUSP Urban Area, attached as Schedule “A” to this By-law.

All lands within the HUSP Urban Area of the Town of Milton are contained within one or more of the following *Zones*:

<b>ZONE</b>	<b>SYMBOL</b>
<b>Residential Zones</b>	
Low Density Residential <i>Zone</i>	RLD
Low Density Residential I <i>Zone</i>	RLD1
Low Density Residential II <i>Zone</i>	RLD2
Low Density Residential III <i>Zone</i>	RLD3
Low Density Residential IV <i>Zone</i>	RLD4
Low Density Residential V <i>Zone</i>	RLD5
Low Density Residential VI <i>Zone</i>	RLD6
Low Density Residential VII <i>Zone</i>	RLD7
Medium Density Residential I <i>Zone</i>	RMD1
Medium Density Residential II <i>Zone</i>	RMD2
High Density Residential <i>Zone</i>	RHD
Residential Office <i>Zone</i>	RO
Mixed Use <i>Zone</i>	MU
<b>Commercial Zones</b>	
Central Business District Commercial <i>Zone</i>	
Central Business District Core Commercial <i>Zone</i>	CBD-A
Central Business District Secondary Commercial <i>Zone</i>	CBD-B
Urban Growth Centre - Mixed Use <i>Zone</i>	UGC-MU

<b>ZONE</b>	<b>SYMBOL</b>
Urban Growth Centre – Mixed Use <i>Zone 2</i>	UGC-MU-2
Secondary Mixed Use Commercial <i>Zone</i>	C2
Local Commercial <i>Zone</i>	C3
Auto Commercial <i>Zone</i>	C5
Business Commercial <i>Zone</i>	C6
Major Commercial <i>Zone</i>	MC
<b>Employment Zones</b>	
Prestige Employment <i>Zone</i>	EMP-1
Employment <i>Zone</i>	EMP-2
Business Park <i>Zone</i>	M1
General Industrial <i>Zone</i>	M2
Extractive Industrial <i>Zone</i>	MX
<b>Institutional Zones</b>	
Minor Institutional <i>Zone</i>	I-A
Major Institutional <i>Zone</i>	I-B
<b>Natural Heritage and Open Space Zones</b>	
Natural Heritage System <i>Zone</i>	NHS
Open Space – Storm water Management	OS - 2
Golf Course <i>Zone</i>	GC
<b>Future Development Zone</b>	
Future Development <i>Zone</i>	FD

## 2.2 ZONE SYMBOLS

The *Zone* symbols may be used to refer to *lots, buildings and structures* and to the use of *lots, buildings and structures* permitted by this By-law.

### **2.3 ZONES AND ZONE BOUNDARIES**

The *Zones* and *Zone* boundaries are shown on Schedule A that is attached to and forms part of this By-law.

### **2.4 OVERLAY ZONES**

When a zone symbol is followed by the suffix '(SPA)' on schedules to this By-law, the suffix '(SPA)' is an illustrative representation of lands which may be subject to specific development regulations, approval processes or approval requirements which may supersede or add to the development regulations and/or limit the permitted uses of the underlying Zone.

### **2.5 DETERMINING ZONE BOUNDARIES**

When determining the location of *zone* boundaries as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- i) a boundary indicated as following a highway, *street*, *lane*, railway right-of-way, utility corridor, wetland or watercourse, shall be the edge of such highway, *street*, *lane*, railway right-of-way, utility corridor, wetland, or the greater of the stable top of bank or Regional Storm Floodline of a watercourse. In the case of a wetland or a watercourse, the *Conservation Authority* having jurisdiction shall determine the boundary;
- ii) a boundary indicated as following a shoreline shall follow such shoreline, and in the event of change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- iii) a boundary indicated as following *lot lines* shown on a registered Plan of Subdivision, or the municipal boundaries of the Town of Milton shall follow such *lot lines*;
- iv) where a boundary is indicated as running parallel to a *street line* and the distance from the *street line* is not indicated, the boundary shall be deemed to be parallel to such a *street line* and the distance from the *street line* shall be determined according to the scale shown on the Schedule;
- v) where a *lot* falls into two or more *Zones*, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *Zone*;
- vi) where none of the above provisions apply, the *Zone* boundary shall be scaled from the legally approved Schedule(s); and,

vii) Notwithstanding v) above, where a *lot* or portion thereof is *zoned* in the Zoning By-law as Natural Heritage System *Zone* (NHS), and where the Conservation Authority having jurisdiction has:

- a) determined that a *lot* or portion thereof is located outside of any regulated area and have confirmed that a Permit or permission is not required from the *Conservation Authority* for the *use*, erection, construction, or alteration, of any land, *building*, or *structure*, OR;
- b) determined that a *lot* or portion thereof is located within the *Conservation Authority's* regulated area and has issued a permit for the *use*, erection, construction, or alteration, of any land, *building*, or *structure*;

The *uses* and provisions of the adjacent *Zone* designation on the same *lot* shall apply; or where a *lot* is wholly *zoned* Natural Heritage, and listed in the Table below, the indicated *zone* provisions shall apply to the *lot*. In addition, where a permit has been issued by the *Conservation Authority* the provisions as set out in the permit shall apply and shall supersede the zoning provisions, where more restrictive.

**TABLE 2A (081-2020)(077-2021)**

STREET NUMBER	STREET NAME	ZONE	STREET NUMBER	STREET NAME	ZONE
<b>C</b>			348	KINGSLEIGH CRT	RLD2*299
95	COMMERCIAL ST	RLD1*279	349	KINGSLEIGH CRT	RLD2*299
96	COMMERCIAL ST	RLD1*279	352	KINGSLEIGH CRT	RLD2*299
98	COMMERCIAL ST	RLD1*279	353	KINGSLEIGH CRT	RLD2*299
99	COMMERCIAL ST	RLD1*279	356	KINGSLEIGH CRT	RLD2*299
104	COMMERCIAL ST	RLD1*279	357	KINGSLEIGH CRT	RLD2*299
106	COMMERCIAL ST	RLD1*279	359	KINGSLEIGH CRT	RLD2*299
107	COMMERCIAL ST	RLD1*279	360	KINGSLEIGH CRT	RLD2*299
111	COMMERCIAL ST	RLD1*279	364	KINGSLEIGH CRT	RLD2*299
123	COMMERCIAL ST	RLD1*279	368	KINGSLEIGH CRT	RLD2*299
127	COMMERCIAL ST	RLD1*279	376	KINGSLEIGH CRT	RLD2*299
<b>H</b>			380	KINGSLEIGH CRT	RLD2*299
323	HIGHSIDE DR	RLD2	381	KINGSLEIGH CRT	RLD2*299
329	HIGHSIDE DR	RLD2	384	KINGSLEIGH CRT	RLD2*299
<b>K</b>			388	KINGSLEIGH CRT	RLD2*299
316	KINGSLEIGH CRT	RLD2*299	392	KINGSLEIGH CRT	RLD2*299
320	KINGSLEIGH CRT	RLD2*299	396	KINGSLEIGH CRT	RLD2*299
324	KINGSLEIGH CRT	RLD2*299	400	KINGSLEIGH CRT	RLD2*299
328	KINGSLEIGH CRT	RLD2*299	404	KINGSLEIGH CRT	RLD2*299
329	KINGSLEIGH CRT	RLD2*299	413	KINGSLEIGH CRT	RLD2*299
332	KINGSLEIGH CRT	RLD2*299	417	KINGSLEIGH CRT	RLD2*299
333	KINGSLEIGH CRT	RLD2*299	342	KINGSWAY PLACE	RLD3
336	KINGSLEIGH CRT	RLD2*299	345	KINGSWAY PLACE	RLD3
337	KINGSLEIGH CRT	RLD2*299	346	KINGSWAY PLACE	RLD3
340	KINGSLEIGH CRT	RLD2*299	350	KINGSWAY PLACE	RLD3
341	KINGSLEIGH CRT	RLD2*299	351	KINGSWAY PLACE	RLD3
344	KINGSLEIGH CRT	RLD2*299	354	KINGSWAY PLACE	RLD3
345	KINGSLEIGH CRT	RLD2*299	358	KINGSWAY PLACE	RLD3
			359	KINGSWAY PLACE	RLD3



STREET NUMBER	STREET NAME	ZONE
<b>M</b>		
94	MAIDEN LANE	RLD1
96	MAIDEN LANE	RLD1
98	MAIDEN LANE	RLD1
640	MARTIN STREET	C5
315	MOUNTAIN VIEW DR	RLD2
321	MOUNTAIN VIEW DR	RLD2
322	MOUNTAIN VIEW DR	RLD2
328	MOUNTAIN VIEW DR	RLD2
329	MOUNTAIN VIEW DR	RLD2
332	MOUNTAIN VIEW DR	RLD2
<b>O</b>		
296	OAK ST	RLD1
297	OAK ST	RLD1
<b>R</b>		
187	RIVERPLACE CRES	RLD2
194	RIVERPLACE CRES	RLD2
198	RIVERPLACE CRES	RLD2
202	RIVERPLACE CRES	RLD2

STREET NUMBER	STREET NAME	ZONE
203	RIVERPLACE CRES	RLD2
208	RIVERPLACE CRES	RLD2
214	RIVERPLACE CRES	RLD2
219	RIVERPLACE CRES	RLD2
220	RIVERPLACE CRES	RLD2
223	RIVERPLACE CRES	RLD2
224	RIVERPLACE CRES	RLD2
228	RIVERPLACE CRES	RLD2
232	RIVERPLACE CRES	RLD2
233	RIVERPLACE CRES	RLD2
<b>S</b>		
294	STEELES AVE	RLD2*299
300	STEELES AVE	RLD2*299
304	STEELES AVE	RLD2*299
<b>W</b>		
291	WOODWARD AVE	RLD1*280
292	WOODWARD AVE	RLD1*280
315	WOODWARD AVE	RLD2
316	WOODWARD AVE	RLD2

## 2.6 SITE SPECIFIC ZONES

Where a *Zone* symbol on the attached schedule(s) is followed by a star and a number, such as \*17, the star and number(s) symbol refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are organized numerically and are listed in Section 13 of this By-law.

## 2.8 REFINEMENT OF ZONE BOUNDARIES

### i) UPON REGISTRATION OF PLANS OF SUBDIVISION

Upon registration of a plan of subdivision, technical revisions to the By-law mapping will be implemented as required in order to ensure that the *zone* boundaries coincide with the *lot* and block fabric of the registered plan.

### ii) UPON RECEIPT OF CONSERVATION AUTHORITY MAPPING

Technical revisions to the By-law mapping will be implemented as required in order to ensure that the *zone* boundaries coincide with the Conservation Authorities mapping.

### iii) REFINEMENT OF ZONE BOUNDARIES BASED ON ENVIRONMENTAL STUDIES

The boundaries of the Natural Heritage System have been determined by the Region of Halton in consultation with the Town, the appropriate *Conservation Authority* and

the Ministry of Natural Resources, and may be refined from time to time through the preparation of Subwatershed studies, secondary plans, Area Specific Plans, or individual environmental impact assessments. Where the Town is satisfied, in consultation with the Region and the appropriate Conservation Authority, that the boundaries of the Natural Heritage Systems can be altered, the adjustment may be made without further amendment to the By-law.

## **SECTION 3 DEFINITIONS**

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### **ABUTTING**

Means a *lot line* that has any point in common with another *lot line* or *street line*.

### **ACCESSORY BUILDING OR STRUCTURE**

Means a detached *building* or *structure*, the *use* of which is naturally or customarily incidental and subordinate to, and exclusively devoted to a principal *use*, *building* or *structure* and located on the same *lot* therewith and shall also mean and include a detached private *garage* or detached *carport* but which does not include children's play *structures* or patios and *decks* associated with a *dwelling*.

### **ACCESSORY FARM DWELLING**

Means a *dwelling* unit or *mobile home dwelling*, the *use* of which is necessary for an *agricultural operation* and is incidental, subordinate and exclusively devoted to the primary *agricultural operation* located on the same *lot*.

### **ACCESSORY USE**

Means a *use* customarily incidental to, subordinate to and exclusively devoted to the principal *use* and which operates together with the principal *use* on the same *lot*.

### **ACTIVE FRONTAGES (095-2017)**

Means an area that should contribute to the interest, life and vibrancy of the public realm. This is achieved by providing a pedestrian oriented façade and uses at street level.

### **ADULT ENTERTAINMENT PARLOUR**

Means any *premises* or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

"services" includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the Theatres Act;

"services designed to appeal to erotic or sexual appetites or inclinations" includes,

- a) services of which a principal feature or characteristic is the nudity or partial nudity of any person;
- b) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or "nu" any other word or picture, symbol or representation having like meaning or implication as used in any advertisement;

### **ADULT ENTERTAINMENT USE**

Means any *premises* or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services or *entertainment* appealing to or designed to appeal to erotic or

sexual appetites or inclinations. *Adult Entertainment Use* also includes an *Adult Entertainment Parlour*, an *Adult Video Store*, an *Adult Specialty Shop* and a principal use *Body Rub Parlour*.

For the purposes of the definition of *Adult Entertainment Use*, the following definitions also apply:

“goods” includes books, magazines, pictures, slides, film, disks, phonograph records, prerecorded magnetic tape and any other viewing or listening matter, clothing and accessories;

“services or entertainment” includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the Theatres Act;

“services or entertainment which are designed to appeal to erotic or sexual appetites or inclinations” and includes,

- a) services or entertainment of which a principal feature or characteristic is the nudity or partial nudity of any person, including, but not limited to the nudity or partial nudity of specified body areas; and,
- b) services or entertainment in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word or any other picture, symbol or representation having like meaning or implication, is used in any advertisement.

#### **ADULT SPECIALTY STORE**

A *retail* establishment specializing in the sale of a variety of goods and materials made or designed to appeal to erotic or sexual appetites, but does not include a *retail store*.

#### **ADULT VIDEO STORE**

Means an establishment where pre-recorded video tape, video discs, films and/or slides made or designed to appeal to erotic or sexual appetites or depicting sexual acts are offered for rent or sale where the proportion of adult videotapes to non-adult videotapes offered is equal to or exceeds the ratio of 10:100 (adult videotape to non-adult videotape). An *Adult Video Store* shall not include facilities for the screening or viewing of such products.

#### **AGGREGATE RECYCLING FACILITY**

Means a *premises used* for the recycling of used aggregate materials such as concrete and asphalt into a usable product but does not include the operation of an asphalt or concrete batching plant.

#### **AGRICULTURAL OPERATION**

Means general farming and shall include such *uses* as the breeding, rearing, or keeping of livestock, including poultry, fowl, fur-bearing animals, and horses and may include the accessory training and/or riding of boarded horses, to a maximum of 20 horses, and/or the general cultivation of land and production, conditioning, processing and storing of field crops, fruits, vegetables, and trees, and includes the *outdoor storage* of equipment, goods or raw or processed materials normally incidental to an *agricultural operation*, but shall not include the practice of soil mixing, and/or the commercial sale or wholesale distribution of soil, sand, rock, concrete block, mulch, or other similar material(s).

**AMENITY AREA (052-2018)**

Means the area situated on a residential or mixed use *lot* that is intended for recreational purposes, and may include *landscaped open spaces*, patios, balconies, communal play areas, lounges, *decks* and other similar *uses* but shall not include a *swimming pool* or areas occupied at *grade*, by service areas, *parking areas*, aisles or access *driveways* associated with the development.

**ANCILLARY RESIDENTIAL USES (089-2022)**

Means those uses which are supplementary to an *Apartment Building*, a *Dwelling*, *Retirement* or a *Mixed Use Building* including the common indoor areas located within a *building* which are intended primarily for access, dining, or recreational purposes for the occupants of a *building* and includes stairs, lobbies, elevators, mail room, mechanical facilities, storage, and facilities for a concierge.

**ANGULAR PLANE (089-2022)**

Means an imaginary inclined plane projecting over a *lot* at a specified angle from the horizontal and measured from a defined point.

**ANIMAL, DOMESTIC**

Means an *animal* kept for pleasure or companionship and is not used for fur or food purposes.

**ANIMAL TRAINING FACILITY**

Means a *building* or part thereof, where dogs and cats and other domestic animals, excluding livestock, are trained in obedience on a temporary basis, but shall not include the overnight boarding or accommodation of domestic animals.

**APARTMENT BUILDING (052-2018)**

Means a *building* consisting of 5 or more *dwelling units*, where each unit is divided vertically and horizontally by *common walls*, with each *dwelling unit* being accessed by a common corridor system, and may include an *Apartment Building, Hybrid*.

**APARTMENT BUILDING, HYBRID (052-2018)**

Means a *building* with 5 or more *dwelling units* off a common corridor and with dwelling units on the ground floor with individual entrances directly from the outside, which may be one or two *storeys*.

**ART GALLERY**

Means a *premises* where paintings, sculptures or other works of art are exhibited or sold.

**ARTIST'S STUDIO**

Means a *premises* in which an artist produces artwork or crafts and may include the display and sales of works primarily produced on the *premises*, and may include a photography studio.

**ASPHALT BATCHING PLANT (38-2019)**

Means an industrial facility used for the production of asphalt used in building or construction and includes facilities for the administration and management of the business, the stockpiling or bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

**BALCONY (38-2019)**

Means a platform that may be partially enclosed projecting from the main *wall* of a *building* and which is only accessible from within a *building*.

**BANK**

Means the *premises* where money is deposited, withdrawn, kept, lent or exchanged and includes associated and accessory offices, which shall be incidental and subordinate to the principal use, and may include the offices of a mortgage broker, insurance broker, and investment or financial planner.

**BANQUET FACILITY**

Means a *premises used* for the purpose of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served on the *premises* and which may include a catering service.

**BASEMENT**

Means that portion of a *building* below the *first storey*.

**BAY AND BOXED WINDOW (38-2019)**

Means a multi-sided window that projects outwards from an exterior wall of a building, which may or may not have a foundation, a door, or windows at the side projections.

**BED AND BREAKFAST ESTABLISHMENT (058-2019)(056-2022)**

Means an owner-occupied *dwelling unit* or part of a *dwelling unit* offering short term lodging for compensation to the travelling and vacationing public. Guest rooms or suites or bedrooms may include a private bath, but shall not include cooking facilities. Breakfast and other meals, services, facilities, or amenities may be offered exclusively to guests. A *bed* and *breakfast* does not include *shared housing* or *short-term rental*.

**BOARDING KENNEL**

Means a premises for the keeping, breeding, or boarding of domestic animals, and may include accessory training of domestic animals, but shall not include the keeping of animals in a *veterinary clinic - small animal* for the purpose of observation, and/or recovery necessary to veterinary treatment.

**BODY-RUB**

Means the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.

**BODY-RUB PARLOUR**

Means and includes any *premises* or part thereof where a *body-rub* is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any *premises* or part thereof where the *body-rubs* performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.

**BUILDING**

Means a *structure* consisting of any combination of walls, *roof* and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems.

**BUILDING FACE**

Means the entire front elevation of the main floor of a *building* facing a *street*, and includes the *dwelling face* and the *garage face*.

**BUILDING FRONT WALL (081-2020)**

Means the outside wall of a *building* or *structure* that faces the *front lot line*, but does not include any *porch/veranda*.

**BUILDING, PRINCIPAL**

Means a *building* in which the primary functions of a permitted *use* are carried out on a *lot*.

**BUILDING SUPPLY OUTLET**

Means a *premises* in which *building* or construction materials and home improvement materials are offered for retail sale.

**BULK FUEL DEPOT**

Means a *premises* where petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid is stored, warehoused and/or kept for retail sale.

**BULK PROPANE STORAGE DEPOT**

Means a *premises* where tanks having an aggregate propane storage capacity in excess of 45,000 litres and from which the retail sale of propane fuel to the public is or may be offered.

**CAMPER TRAILER**

Means a *trailer* which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment.

**CANNABIS PRODUCTION AND PROCESSING FACILITY (047-2020)**

Means a premises used for the production, processing, testing, destroying, packaging and/or shipping of cannabis where a license, permit or authorization has been issued under applicable federal applicable law. For the purposes of this definition, production shall include the growing and harvesting of cannabis and processing shall include the extraction of cannabis oil and the manufacturing or products containing cannabis.

**CARPORT**

Means a roofed *structure* designed and *used* for the parking of a *motor vehicle* and shall be a minimum 40% unenclosed and open to the outside.

**CASINO**

Means a *premises* primarily engaged in gambling activities, for money or other items of value, and offering games of chance such as card games, dice games and/or game machines or devices, and

may include the accessory sale and consumption on the premises of food and/or alcoholic beverages.

**CELLAR**

Means that portion of a *building* below the *first storey* which is partly or wholly underground and which has more than half of its *height* from finished floor to finished ceiling below the average finished *grade* level adjacent to the exterior walls of the *building*.

**CEMETERY**

Means land set aside to be used for the interment of human remains and may include as an *accessory use*, a mausoleum, columbarium, crematorium, or other *structure* intended for the interment of human remains.

**COMMERCIAL SCHOOL – SKILL (38-2019)**

Means a premises where students are taught a skill (e.g. music, dancing, gymnastics, adult/children learning centers, cultural related activities, etc.), but does not include a *Day Care Centre* or an *Adult, Elementary, Secondary, or Post-Secondary School*.

**COMMERCIAL SCHOOL – TRADE/PROFESSION**

Means a premises conducted for profit or gain, where students are taught a trade or profession (e.g. business schools, technology, hair dressing schools, specific trade training, etc.), but does not include a *School*.

**COMMERCIAL STORAGE FACILITY**

Means a *premises used* for the temporary storage of household items in enclosed storage areas or lockers, which are generally accessible by means of individual loading doors and which is an *accessory use*, includes an outdoor area for the temporary parking of seasonal *recreational* or commercial *vehicles*, boats and *trailers*.

**COMMON WALL**

Means a wall jointly owned and jointly used by two (2) or more parties by right-in-law, and separating two (2) or more dwelling units, garage, commercial, employment or institutional undertakings, each of which is a separate entity.

**COMMUNITY CENTRE**

Means a multi-purpose facility owned and operated by the Town of Milton, which offers a variety of programs of a recreational, cultural, community service, information or instructional nature.

**COMPATIBILITY STUDY(IES) (089-2022)**

Means a study that assesses potential adverse effects and recommends separation distances and mitigation measures, if needed, to limit impacts to surrounding land uses.

**COMPOSTING FACILITY**

Means a *premises* owned or operated by a government authority where the primary purpose is for the composting of food *waste* and organic materials.



**CONCRETE BATCHING PLANT (38-2019)**

Means an industrial facility used for the production of concrete used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

**CONSERVATION AUTHORITY**

Means The Halton Region *Conservation Authority*, Grand River *Conservation Authority* and/or Credit Valley *Conservation Authority*.

**CONSERVATION USE**

Means a *use* dedicated towards the protection of natural hazard and natural heritage features and their functions including wood/*lot* management, and *structures* for flood/erosion control. This *use* shall not include administration and/or operational facilities.

**CONTRACTOR'S YARD**

Means a premises of any general contractor or builder where equipment and or raw or processed materials are stored, including, but not limited to, sand, soil, stone, rock, mulch, concrete block, wood, wood pallets, and/or other similar material(s), or where a contractor and/or tradesman performs shop and assembly work, and/or offers a trade service, including, but not limited to landscaping services, general construction services, cabinetry services, plumbing services and welding services, or other similar services.

**CONVENIENCE STORE**

Means a *retail store* that provides a variety of household necessities, groceries and other convenience items primarily to the immediate neighbourhood.

**CONVENTION CENTRE**

Means a *premises* having facilities for meetings, seminars, workshops and other similar activities and may include dining facilities to serve participants but does not include sleeping accommodation.

**COTTAGE INDUSTRY**

Means an activity conducted as an *accessory use* within a *dwelling unit* and/or an *accessory building* by one or more of its residents. A cottage industry may include activities such as dressmaking, upholstering, weaving, ceramic making, painting and sculpting.

**COUNCIL**

Means the Municipal *Council* of the Corporation of the Town of Milton.

**DAYLIGHTING TRIANGLE**

Means an area of land in the shape of a triangle reserved for no purpose other than landscape *open space*, grass or similar material but shall exclude trees and shrubs. A *daylight triangle* is measured from the point of intersection of two *street lines* to a prescribed distance along both *street lines*.

**DAYLIGHTING RADIUS (RADII)**

The *daylight triangle* is formed by measuring from a point of intersection of two *streetlines* a distance along both *street lines* equal to the prescribed radii. The two points along the *streetlines* are connected by an arc with a center point located a distance equal to and perpendicular to the *streetline* of the prescribed radii.

**DAYLIGHTING, STREET**

Means an area reserved for the protection of sight lines from *abutting streets*.

**DAYLIGHTING TRIANGLE, RAILWAY**

Means an area of land in the shape of a triangle that is measured from a prescribed point along a *street line* to a prescribed point measured along the centre of the outside track.

**DAY CARE CENTRE (38-2019)**

Means:

- a) a *premises* licensed in accordance with the Child Care and Early Years Act, or a successor thereof, where children are provided with temporary care or supervision for a continuous period that does not exceed 24 hours; or,
- b) a *premises* in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

**DECK**

Means a *structure* consisting of a raised platform with no solid *roof* or walls and may be used as an outdoor living area, but does not include a *landing, balcony, or porch / veranda*.

**DECK LINE (081-2020)**

Means the horizontal line at which the roof pitch transitions.

**DEPARTMENT STORE**

Means a *retail store* that has a *gross floor area* greater than 2750 m<sup>2</sup> in which items are sold from at least four of the following types of goods: furniture and floor coverings, fabrics and household textiles, clothing, footwear, household appliances, china glass ware and domestic hardware.

**DOG DAYCARE (38-2019)**

Means a *premises* used for the short-term non-veterinary care of dogs, and may include accessory grooming, training, and retail but does not include overnight accommodation of dogs, and does not include a *kennel, a veterinary clinic or a veterinary hospital*.

**DRIVE-THROUGH SERVICE FACILITY**

Means a *building or structure* or part thereof accessed by a designated queuing *lane*, where goods or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk. For the purposes of this definition, *motor vehicle* related *uses* and kiosks within parking *structures or parking areas* are not considered to be a *drive through service facility*.

**DRIVEWAY**

Means that portion of a *lot* used to provide vehicular access from a street to a *parking space* or to an off-street *parking or loading area* located on the same *lot*.

**DRIVEWAY, RESIDENTIAL**

Means a hard surface (consisting of, but not limited to, asphalt, concrete, patterned concrete, interlocking brick, or paving stone) on a *lot* having a residential *use* containing less than four (4) *dwelling units*, upon which vehicles drive and park, and includes an adjacent hard surface, capable of being parked or driven upon by part or the whole of a *motor vehicle*, such as, but not limited to, walkways, banding, or curbing.

**DRIVEWAY WIDTH, RESIDENTIAL**

Means a *residential driveway* measured at its widest or narrowest point, whichever is applicable, and perpendicular to the intended direction of travel.

**DRY CLEANING DEPOT**

Means a *premises used* for the purpose of receiving articles or goods of fabric to be subjected to the process of laundering or dry-cleaning elsewhere.

**DRY CLEANING ESTABLISHMENT**

Means a *premises* in which the business or laundry of dry-cleaning is housed and where the cleaning, drying, ironing and finishing of such goods is conducted.

**DWELLING, APARTMENT**

Means a *dwelling unit* within an *apartment building*.

**DWELLING, BACK-TO-BACK TOWNHOUSE**

Means a *building* where each unit is divided vertically by *common walls*, including a *common rear wall*, and has an independent entrance to the *unit* from the outside accessed through the *front yard* or *exterior side yard*.

**DWELLING, DETACHED**

Means a *building* containing not more than one *dwelling unit*, exclusive of any *accessory dwelling unit*.

**DWELLING, DUPLEX**

Means a *building* divided horizontally above *grade* into two *dwelling units*.

**DWELLING, GRADE-RELATED (052-2018)**

Means a *dwelling unit* with an individual entrance directly from the outside, but shall not include a *dwelling unit* on the ground floor of an *apartment building* or an *Apartment Building, Hybrid*.

**DWELLING, LIVE-WORK UNIT**

Means a *dwelling unit* within a *building* divided vertically, containing not more than 8 units, in which the portion of the *building* at grade level may be used as a business establishment and whereby each “live” and “work” component within the dwelling unit has an independent entrance from the outside.

**DWELLING, MOBILE HOME**

Means a mobile *dwelling unit* suitable for long term occupancy designed to be transportable on its own chassis and wheel system.

**DWELLING, MULTIPLE**

Means a *dwelling unit* in a *building* containing four or more *dwelling units*, each of which has an independent entrance directly from the outside or through a common vestibule or common corridor but does not include a *townhouse* or an *apartment building*.

**DWELLING, QUATTROPLEX**

Means a *building* containing four *dwelling units* divided vertically and horizontally, and which has an independent entrance directly from the outside or through a common vestibule or common corridor.

**DWELLING, RETIREMENT**

Means a *building* containing *dwelling units* where common facilities are provided for the preparation and consumption of food and where housekeeping services and onsite medical services are provided, as required. A retirement *dwelling* may contain accessory *personal service shop*, retail and recreational uses for the residents. A retirement *dwelling* is intended to be occupied by persons who are retired from the work force, or by reason of age or infirmity require the services provided in a semi-independent living environment, but who do not require the services and support provided in a *Long-Term Care Facility*.

**DWELLING, SEMI-DETACHED**

Means a *building* divided vertically by a *common wall* into two *dwelling units* above *grade*.

**DWELLING, SEMI-LINK (113-2017)**

Means two *detached dwellings* which are only attached below *grade*, exclusive of any *accessory dwelling unit*.

**DWELLING, STACKED TOWNHOUSE (052-2018)**

Means a three or four-*storey building* divided horizontally and vertically by *common walls* with more than 5 *dwelling units* and each unit having an individual entrance directly from the outside and no common corridor. Stacked townhouses may have a common rear wall.

**DWELLING, TOWNHOUSE**

Means a *building* divided vertically by *common walls* and whereby each *dwelling unit* has an independent entrance into the *unit* from the outside, and whereby each *unit* has access to the *rear yard*.

**DWELLING, TRIPLEX**

Means a *building* divided horizontally into three *dwelling units*.

**DWELLING FACE**

Means that portion of the *main floor building face*, which is the floor closest to *grade* in architectural elevation, and includes any *porch / veranda*, but does not include the *garage face*.

**DWELLING UNIT**

Means a room or rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive *use* of the residents and with a private entrance from outside the *building* or from a common hallway or stairway inside.

**DWELLING UNIT, ACCESSORY**

Means a separate and complete *dwelling unit* which is subordinate to, and incidental to, the principal *dwelling unit*

**ELECTRIC VEHICLE CHARGING STATION (089-2022)**

Means the minimum of a level two charging outlet for electric vehicles, as defined by SAE International J1772 or an equivalent standard.

**ELECTRIC VEHICLE CHARGING STATION, ROUGHED-IN (089-2022)**

Means the installation of electric vehicle charging infrastructure during building construction to allow for the later installation of an *electric vehicle charging station*.

**EMERGENCY SERVICE FACILITY**

Means a *premises* from which emergency service personnel and equipment are dispatched and may include facilities for fire, medical or police services.

**EQUESTRIAN CENTRE**

Means a *premises* in which lands, *buildings* or *structures* are used for the boarding of 20 or more horses, the training of horses and riders, and/or the staging of equestrian events, but does not include the racing of horses.

**EQUIPMENT SALES AND RENTAL**

Means a *premises* in which machinery and equipment are offered or kept for rent or lease.

**EXISTING**

Means any land *use*, *building* or *structure* in existence on the day of the passing of this By-law.

**EXTRACTIVE USE**

Means a *pit* or excavation, made for the removal of consolidated and unconsolidated soil, earth, clay, marl, sand, gravel, or rock for commercial purposes, and shall include facilities for the crushing, washing and screening of such materials. An *extractive use* shall not include an excavation incidental to the erection of a *building* or *structure*.

**FAIRGROUND**

Means an open area of land where farm produce is on display for judging and for sale, and livestock shows, horseracing, and other sports events are held and on occasion for auctions, flea markets and concession stands.

**FARM IMPLEMENT DEALER**

Means a *premises* where farm machinery is stored and sold and/or leased to the public and which may include facilities for the repairing of farm machinery.

**FARM PRODUCE RETAIL OUTLET**

Means a *premises* where the products of an *agricultural operation* are sold at retail as an *accessory use* and on the same *lot* as the principal agricultural *use*.

**FARM VEHICLE**

Means a licensed or unlicensed *motor vehicle* that is *used* to cultivate or harvest farm products and/or assist in the general operation of an *agricultural operation*.

**FARMER'S MARKET**

Means a *premises* where farm products are sold at retail from seasonal, non-permanent open-air stalls or booths.

**FENCE**

Means an artificially constructed barrier erected to enclose, to prevent entrance, to mark boundary, or screen areas of land, and shall include a wall, *privacy screen* or hedge

**FILL OPERATION**

Means depositing, storing, or stockpiling of topsoil, sand, gravel, rock, silt, clay, peat or any other substance of which land is composed, or any combination thereof, on any *lot* where that deposit did not exist or stand previously, except where required for the erection of a *building* or *structure* under a valid Building Permit or development permit issued by the Town, or related to a permitted *Agricultural Operation*.

**FIRST STOREY**

Means the storey with its *floor* closest to *established grade* and having its ceiling more than 1.8m above *established grade*.

**FITNESS CENTRE**

Means a premises in which facilities and activities are provided to obtain physical fitness and shall include weightlifting machinery and equipment and may include exercise classes and associated facilities such as a sauna, *retail store*, office space and related lounge facilities.

**FLOOD PLAIN**

Means the area, usually lowlands, adjoining the channel of a river, stream, or watercourse, which has been or may be subject to flooding hazards.

**FLOOR AREA**

Means the area of a *building* or *structure* or part thereof, measured from the *exterior* of outside *walls*, or from the mid-point of *common walls*.

**FLOOR AREA, GROSS**

Means the total area of all floors measured between the *exterior* face of the exterior walls of the *building* or *structure* at the level of each floor, exclusive of any *basements* used for storage purposes and/or for the parking of a *motor vehicle*.

**FLOOR PLATE AREA**

Means the horizontal *floor area* of a single floor measured from all the exterior walls of a *building* or *structure*, excluding *balconies*.

**FLOOR SPACE INDEX (089-2022)**

Means the ratio of the *gross floor area* of all above grade *buildings* or *structures*, including *parking structures*, to *lot area*. The *floor plate area* of *premises* owned by a *public authority* for a *public use* is excluded from the *gross floor area* for the calculation of *floor space index*.

**FOOD BANK**

Means a not-for-profit facility where food and/or other goods are collected and distributed to individuals and/or groups.

**FOOD STORE**

Means a *retail store* with a *gross floor area greater than 2750m<sup>2</sup>* engaged primarily in the sale of a general line of food, such as canned, dried, and frozen food; fresh fruits and vegetables; fresh and prepared meats, fish, poultry, dairy products, baked products and snack foods; and which also retails a range of non-food products, such as household paper products, toiletries, personal care products, hardware and non-prescription drugs, and in which a minimum of 51% of the total of the sales floor area of the building is devoted to the sale of food.

**FORESTRY USE**

Means the raising and harvesting of timber for the purpose of producing commercial or non-commercial wood products and may include the cutting of such timber for transportation purposes but shall not include the manufacturing or processing of wood products. Notwithstanding the above, the processing of firewood cut and used for domestic purposes on the same property is not considered a *forestry use*.

**FUNERAL HOME**

Means a *premises* designed for the purpose of furnishing funeral supplies and service to the public and includes facilities intended for the preparation of corpses for interment or cremation.

**GARAGE, ATTACHED**

Means a portion of a *building accessory* to a *dwelling unit* on the same lot and attached thereto by a *common wall* and/or *common roof structure* and is considered part of the principal *building* and is designed and used for the *storage* and *parking* of a *motor vehicle*.

**GARAGE, DETACHED**

Means an *accessory building* or *structure* which is designed and used for the sheltering of permitted motor vehicles which is fully enclosed and roofed.

**GARAGE FACE**

Means that portion of the *main floor building face* in architectural elevation, between and including the *garage walls*.

**GARDEN CENTRE**

Means the use of land, *buildings* or *structures* for the display and retail sale of flowers, plants, trees, and shrubs and may include the retail sale of such goods, products, equipment or outdoor furniture as are customarily associated with gardening and *landscaping*, but shall not include *outdoor storage use*.

**GARDEN SUITE**

Means a detached residential *structure* containing bathroom and kitchen facilities that is an *accessory use* to an *existing dwelling unit* and is designed to be portable.

**GOLF COURSE**

Means a *premises* operated for the purpose of playing golf, and includes a *golf course*, *driving range*, miniature golf facilities and such *accessory uses* as a *restaurant*, *banquet facility*, *retail store*, *fitness centre* and other *buildings* or *structures* devoted to the maintenance and operation of the *golf course*.

**GOLF DRIVING RANGE**

Means an open air or indoor *recreation facility* where the sport of golf is practiced from individual tees and which may include accessory *structures* to house the tees, a kiosk for golf balls and golf club rentals, and a *structure* from which the golfers tee-off.

**GRADE**

Means the level of the ground adjacent to the outside wall of a *building* or *structure*.

**GRADE, ESTABLISHED**

Means the average elevation of the finished surface of the ground at base of the outside walls of any *building* or *structure*. The *established grade* is determined by taking the arithmetic average of the levels of the finished ground surface at every location of change of *grade* along the outside walls of the *building* or *structure*.

**GUEST SUITE OR UNIT, APARTMENT (089-2022)**

Means a room within an *apartment building* or a *mixed use building* that is not connected to an *apartment dwelling* that can be used temporarily by visitors to the *building* as overnight accommodation, which may include a bedroom and bathroom, but shall not include kitchen facilities. A *Guest Suite or Unit* does not constitute an *apartment dwelling* and shall not be subject to required *parking*.

**HEALTH PROFESSIONAL, REGULATED (117-2019)**

Means a person registered under the Regulated Health Professions Act, S.O. 1991, C.18, such as: Acupuncturists, Audiologists, Chiropodists, Chiropractors, Dental Hygienists, Dental Technologists, Denturists, Dentists, Dieticians, Homeopaths, Massage Therapists, Medical Laboratory Technologists, Medical Radiation Therapists, Midwives, Naturopaths, Nurses, Occupational Therapists, Opticians, Optometrists, Pharmacists, Physicians, Physiotherapists, Podiatrists, Practitioners of Traditional Chinese Medicine, Psychologists, Respiratory Therapists, Speech Language Pathologists.

**HEIGHT**

Means with reference to a *building* or *structure*, the vertical distance measured from the *established grade* of such *building* or *structure* to:

- a) in the case of a flat *roof*, the highest point of the *roof* surface or parapet, whichever is greater;
- b) in the case of a mansard *roof*, the *decline* of the *roof*;
- c) in the case of a gable, hip or gambrel *roof*, the mean *height* between the eaves and ridge;



**HOME DAY CARE (38-2019)**

Means a premises where temporary care or supervision is provided for not more than six children in a private residence, other than the residence of a parent or guardian of any such child, for a continuous period that does not exceed 24 hours and is in accordance with applicable provincial legislation. Care may also be provided for not more than 5 adults but shall not include overnight accommodation.

**HOME INDUSTRY**

Means a small-scale *use* providing a service primarily to the local community and which is *accessory* to a *dwelling unit* or *agricultural operation*. A home industry may be conducted in whole or in part in an *accessory building* and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop, or blacksmith's shop, etc., but does not include any activity relating to the operation or maintenance of a *motor vehicles* or any activity requiring the use of toxic chemicals.

**HOME OCCUPATION**

Means the *accessory use* of a portion of a *dwelling unit* for an occupation or business which results in a product or service and which is clearly subordinate to the principal *use* of the *building* as a *dwelling unit*.

**HORSE RACE TRACK**

Means a *premises* where the primary *use* is the racing of horses for gain and which is open to the general public and which customarily includes betting establishments licensed under the laws of the Province of Ontario, food service facilities and boarding facilities for horses and persons associated with the racing of horses.

**HORTICULTURAL NURSERY**

Means the *use* of land, *buildings* or *structures* for the growing of plants, shrubs, trees or similar vegetation and does not include any *retail* sales of horticultural products, except where permitted as an *accessory use*.

**HOSPITAL, PUBLIC (38-2019)**

Means any institution, *building* or other *premises* established for the treatment of persons afflicted with or suffering from sickness, disease or injury for the treatment of convalescent or chronically ill persons that is approved under the Public *Hospitals* Act, or as superseded by other legislation, as a Public *Hospital*.

**HOSPITAL, PRIVATE (38-2019)**

Means a premises in which four or more patients are or may be admitted for treatment, that is not a *Public Hospital*, for the care of:

- a) Persons afflicted with or suffering from sickness, disease, or injury;  
Convalescent or chronically ill persons;  
Persons suffering from substance addictions; or  
Persons suffering from emotional, psychological or mental disorders.

**HOTEL**

Means a *premises* in which lodging or sleeping accommodation are provided to the general public and may include accessory services such as *restaurants*, meeting facilities, *recreation facilities*, convention and banquet facilities.

**INDUSTRIAL MALL (058-2021)**

Means a multi-unit industrial building with a minimum of five (5) separate units, which are managed by a single owner, tenant, or through a condominium corporation.

**INDUSTRIAL USE**

Means a *premises* used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental storage of goods and materials and may include accessory sales and distribution of such products, however, does not include an *obnoxious use*.

**LANDINGS**

Means a raised platform that provides access to a *principal building*, but does not include a *deck*. A *landing* shall be permitted a maximum width of 120% of the width of the *stairs*.

**LANDSCAPE BUFFER**

Means the area of a *lot*, exclusive of any easement for the purposes of underground or overhead utilities or services, which serves to provide separation and to partially or fully obstruct the view of adjacent land *uses* by means of a vegetative screen, fencing, and/or berms. Pedestrian and/or vehicular entrances through the landscape buffer are permitted.

**LANDSCAPED OPEN SPACE**

Means the open unobstructed space from ground to sky at *grade* which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any *driveway*, sidewalk, or ramp, whether surfaced or not, any curb, retaining wall, *parking area*, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located within a *front yard* or *exterior side yard*.

**LANDSCAPING, RESIDENTIAL**

Means the vegetative surface (level or otherwise) capable of supporting the growth of vegetation such as grass, trees, shrubs, flowers, berms or other plants on a *lot* having a residential *use* containing less than four (4) *dwelling units*.

**LANE**

Means a public roadway owned and maintained by a *Public Authority* with a maximum Right-of-way of 11.0m.

**LAUNDROMAT**

Means a *premises* where coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of cleaning clothing and other articles of fabric.

**LEGAL NON-CONFORMING**

Means a lawful use made of any land, *building* or *structure* at the date of passage of this By-law.

**LIBRARY**

Means a *premises* containing printed, electronic and pictorial material for *public use* for purposes of study, reference and recreation.

**LOADING SPACE**

Means an off-street area of land on the same *lot* as the *building* that it serves, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

**LONG-TERM CARE FACILITY**

Means a *building* containing residential accommodations where a broad range of 24-hour personal care, support and health services are provided for persons requiring these services in a supervised setting and that may contain common facilities, such as but not limited to, the preparation and consumption of food, accessory *personal service shop*, retail and recreational *uses* for the residents.

**LOT**

Means a parcel or contiguous parcels of land in one ownership which is capable of being legally conveyed in accordance with the Planning Act or is described in accordance with a registered Plan of Condominium.

**LOT AREA**

Means the total horizontal area at *grade* within the *lot lines* of a *lot*.

**LOT, CORNER**

Means a *lot* situated at the intersection of two or more streets having an angle of intersection not exceeding 135 degrees. In the case of a curved street, such angles shall be formed by their tangents drawn from the points where the *side lot lines* meet the *street line* but does not include a *lot* abutting the bulb of a cul-de-sac or a turning circle.

**LOT COVERAGE**

Means the horizontal area at *grade* of all *buildings* and *roofed structures* on a *lot*. For the purposes of this definition, *decks*, *patios*, *swimming pools*, and all *accessory buildings*, excluding detached garages, are not to be included within the *lot coverage* calculation.

**LOT DEPTH**

Means the average horizontal distance between the *front* and *rear lot lines*. If the *front* and *rear lot lines* are not parallel, the *lot depth* shall be measured by a straight line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line*. Where there is no *rear lot line*, the *lot depth* shall be measured by a straight line joining the mid-point of the *front lot line* with the apex of the triangle formed by the *side lot lines*.

**LOT FRONTAGE**

Means the distance measured along the *front lot line* between the *side lot lines* where the *side lot lines* are parallel. In cases where the *side lot lines* are not parallel, the distance is measured from a point on each *side lot line* that is located a distance equal to the required *front yard* from the *front lot line* or the hypothetical intersection of the *front lot line* and the *side lot line*.

**LOT, INTERIOR**

Means a *lot* other than a *corner lot*.

**LOT LINE**

Means any boundary of a *lot* or its vertical projection.

**LOT LINE, EXTERIOR SIDE**

Means a *side lot line* that abuts a *public street*, a *lane* or a *private street*.

**LOT LINE, FRONT**

Means in the case of an *interior lot*, the line that divides the *lot* from the street. In the case of a *corner lot*, the shorter *lot line* abutting a street shall be deemed to be the *front lot line* and the longer *lot line* abutting the street shall be deemed to be the *exterior side lot line*. In the case of a *through lot*, the *lot line* where the principal access to the *lot* is provided shall be deemed to be the *front lot line*.

**LOT LINE, SIDE**

Means a *lot line*, other than a *front* or *rear lot line*.

**LOT LINE, REAR**

Means the *lot line* or intersection of the *side lot lines*, opposite to, and most distant from, the *front lot line*.

**LOT, THROUGH**

Means a *lot* bounded on opposite sides by a *public street*, *but not a lane*. However, if the *lot* qualifies as being both a *corner lot* and a *through lot*, such *lot* is deemed to be a *corner lot* for the purposes of this By-law.

**MAIN FLOOR**

Means the floor of a *building* closest to *grade* at street level.

**MAIN WALL (052-2018)**

Means the exterior front, side, or rear wall of a *building* and shall include all structural members essential to the support of a fully enclosed space or roof.

**MEDICAL CLINIC**

Means a *premises* containing offices and common administration and/or reception areas used by two or more regulated health professionals to provide diagnosis and/or treatment to the general public without overnight accommodation and may include accessory dispensary facilities.

**MINIATURE GOLF COURSE**

Means an area of land or *premises* operated for profit or gain as a commercial *Place of Entertainment* in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a *golf driving range*.

**MIXED USE BUILDING (052-2018)(089-2022)**

Means a *building* which contains both residential *dwelling units* and non-residential (i.e. commercial, retail, office) *uses*; and where the residential *uses* are separated horizontally and/or vertically from the non-residential *uses*. An *apartment building*, a *dwelling*, *live-work unit*, and a *building* with only *dwelling units* are not *mixed use buildings*.

**MODEL HOME**

Means a *building* which is used on a temporary basis as a sales office and/or as an example of the type of *dwelling* that is for sale in a related development and which is not occupied or used as a residential *dwelling*.

**MONUMENT SALES SHOP (38-2019)**

Means a place where cemetery monuments and related articles are displayed for sale or sold.

**MOTEL**

Means a *premises* that contains rooms with no private cooking facilities that are rented on a temporary basis to the public traveling predominantly by *motor vehicle*, with some of the rooms being accessed from the outside.

**MOTOR VEHICLE**

Means a *motor vehicle*, traction engine, farm tractor, road *building* machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, in accordance with the Highway Traffic Act, but not including the cars or electric or steam railways running only upon rails

**MOTOR VEHICLE BODY SHOP**

Means a *premises used* for the painting or repairing of *motor vehicle* bodies, exterior and under-carriage, and in conjunction with which there may be a towing service.

**MOTOR VEHICLE DEALERSHIP**

Means a *premises* where new or used *motor vehicles* are displayed and/or offered for sale or lease and which may operate in conjunction with a *motor vehicle repair garage*.

**MOTOR VEHICLE GAS BAR**

Means one or more pump islands, each consisting of one or more gasoline pumps, and a kiosk used for the retail sale of convenience food items, and/or liquids and small accessories required for the operation of a *motor vehicle*.

**MOTOR VEHICLE RENTAL AGENCY**

Means a *premises* where *motor vehicles* are kept for rent under agreement for compensation.

**MOTOR VEHICLE REPAIR GARAGE**

Means a *premises* used to conduct major and minor mechanical repairs of *motor vehicles* and includes such businesses as alignment, muffler, rust proofing, oil, lube and filter, auto glass, tire and radiator shops and in conjunction with which there may be such *accessory uses* as a towing service, and *motor vehicle* rentals.

**MOTOR VEHICLE WASHING ESTABLISHMENT**

Means a *premises used* for the operation of *motor vehicle* washing equipment and may include the *use* of production line methods and mechanical devices or self-serve coin-operated facilities, but does not include any other *motor vehicle* establishment defined in this By-law.

**NIGHT CLUB**

Means a premises or part thereof, whose principal function is the provision of music, pre-recorded or live music, for dancing by club patrons, having a minimum dance floor area of 10 m<sup>2</sup>, where food and/or beverages may be served, but shall not include an *Adult Entertainment Use*.

**NON-CONFORMING**

Means an *existing use* or activity of any *land, building* or *structure* that is not an identified permitted *use* for the *Zone* in which it is located as of the date of passage of this By-law.

**NON-COMPLYING**

Means a *lot, building* or *structure* that does not meet the regulations of the *Zone* in which it is located as of the date of passage of this By-law.

**OBNOXIOUS USE**

Means a *use* which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour, or by reason of the matter, *waste* or other material generated by the *use*.

**OFFICE USE**

Means a *building* or part of a *building* where administrative and clerical functions are carried out in the management of a business, professional service, organization or public administration, and may include the offices of a *Regulated Health Professional*, but does not include a *personal service shop* or a *bank* or a *medical clinic*.

**OFFICE BUILDING**

Means a *building* in which the principal *use* is *office uses*.

**OPENINGS**

Means those portions of a wall that are open from the outside to the inside, such as windows, doors or entrance features, or any combination thereof.

**OUTDOOR RETAIL DISPLAY**

Means an area outside of a *building* devoted to the retail sale of finished products, or an area for the display of equipment and small machinery associated with a permitted *Equipment Sales and Rental Use*.

**OUTDOOR STORAGE**

Means the storage of equipment, goods, or raw or processed materials outside of any *building* or *structure*. For the purposes of this By-law, the overnight parking of vehicles shall not be deemed to be *outdoor storage*.

**OUTDOOR STORAGE USE**

Means a *premises* where an *outdoor storage* area forms the main *use* of a *lot*, but does not include a *Salvage Yard*. For the purposes of this definition, the *outdoor storage* of *motor vehicles* is not considered to be an *outdoor storage use*.

**PUBLIC PARK**

Means an open space area, owned, operated or maintained in whole or in part by a *public authority* as a recreational area for *public use*, including passive and active forms of recreation, designed to serve the neighbourhood and community.

**PARKING AREA**

Means an open area, other than a street, used for the temporary loading or unloading of service vehicles, or the temporary parking of two or more vehicles that includes loading spaces, parking spaces and aisles and is available for public use as an accommodation for clients or customers or residents, and shall also include residential uses containing four or more *dwelling units*, but does not include the storing of impounded, wrecked and/or otherwise inoperable vehicles.

**PARKING SPACE**

Means the area of land devoted to the parking of a *motor vehicle*.

**PARKING SPACE, BICYCLE (LONG TERM) (089-2022)**

Means a *bicycle parking space* located within a *building* for use by occupants or tenants of a *building*.

**PARKING SPACE, BICYCLE (SHORT TERM) (089-2022)**

Means a *bicycle parking space* for use by visitors to a *building* and may be provided either inside or outside of the *building*.

**PERSONAL SERVICE SHOP**

Means a *premises* in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of customers which services may involve the health, beauty or grooming of a person or the maintenance, cleaning or repair of personal apparel or accoutrements but does not include a *dry cleaning establishment*, a *Night Club*, or an *Adult Entertainment Use*.

**PIT**

Means land or land under water from which unconsolidated aggregate is being or has been excavated, such as, gravel stone, sand, earth, clay, fill or other similar material, and that has not been rehabilitated, but does not mean land or land under water excavated for a *building* or other work on the excavation site or in relation to which an order has been made under sub-section 1(3) of the *Aggregate Resources Act* and may include, as an *accessory use*, facilities for the crushing, screening, washing and storage of such materials.

**PLACE OF ASSEMBLY**

Means a *premises used* for the gathering of groups of people and may include facilities for the preparation and consumption of food or drink including a *banquet facility*, but shall not include a *place of worship* or *place of entertainment*.

**PLACE OF ENTERTAINMENT**

Means a *premises* where entertainment is offered for profit or gain and may include a motion picture *theatre*, public hall, billiard or pool rooms, bowling alley, or similar activity for the enjoyment of the general public, and shall include indoor playgrounds, but shall not include *any adult entertainment use*.

**PLACE OF WORSHIP**

Means a *premises* used by religious group(s) for the practice of religious services.

**PODIUM (089-2022)**

Means the base of a *building* that is distinguished from the uppermost floors of a mid-rise *building* or the *tower* portion of a tall building by being set forward or articulated architecturally.

**PORCH / VERANDA**

Means a *structure* abutting a main wall of a *building* having a *roof* but with walls that are generally open and unenclosed.

**PORTABLE ASPHALT PLANT**

Means a temporary facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt paving material and includes the temporary stockpiling and storage of bulk materials used in the process.

**PREMISES**

Means the area of a *building* and/or *lot* occupied or used by a business, enterprise or persons. In a multiple tenancy *building* occupied by more than one (1) business, each business area shall be considered a separate *premises*.

**PRIVACY SCREEN**

Means a *fence* that will visually isolate, conceal or seclude objects, things, places or people.

**PRIVATE CLUB**

Means a non-profit, non-commercial organization which carries on cultural, social, athletic or recreational activities and includes the *premises* of a fraternal or charitable organization.

**PRIVATE TRANSIT DEPOT**

Means a *premises* where the dispatching of taxis or other commercial *motor vehicles* such as airport limousines is carried out and where such vehicles may park for short periods of time while waiting for calls.

**PROPANE FACILITY, RETAIL**

Means a *premises* where tanks having an aggregate propane storage capacity of less than 45,000 litres that is licensed under the Provisions of the Energy Act of Ontario as amended, and from which the retail sale of propane fuel to the public is or may be effected.



**PROVINCIAL HIGHWAY**

Any highway under the jurisdiction of the Ministry of Transportation includes King’s Highway and any part of these designated as controlled-access highway and includes any roadway under the jurisdiction of the Ministry.

**PUBLIC AUTHORITY**

Means the Government of Canada, Province of Ontario, Regional Municipality of Halton, or Town of Milton and includes any department, agency, commission or board established by or on behalf of such authority, including any publicly funded school board and Milton Hydro Holdings Inc. and its affiliates and subsidiaries.

**PUBLIC USE**

Means any *use* of land, *building* or *structure* by or on behalf of a *public authority*, and includes the authorization by a *public authority* of the *use* of its land, *building* or *structure* by any other party, including where the party is not a *public authority*, for any purpose authorized by the *public authority*.

**QUARRY**

Means land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for a *building* or other work on the excavation site or in relation to which an order has been made under sub-section 1(3) of the *Aggregate Resources Act*.

**RECREATION AND ATHLETIC FACILITY**

Means a *building*, *structure* or outdoor facility designated and equipped for the conduct of sports and leisure time activities such as a *swimming pool*, ice rink or tennis courts and may also include outdoor facilities such as an outdoor bowling green or sports field.

**RECREATIONAL TRAILERS AND VEHICLES**

Means a vehicle which provides short term occupancy intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a *motor vehicle* or self-propelled, and includes such vehicles commonly known as travel *trailers*, *camper trailers*, truck *campers*, motor homes, boats or other similar vehicles but does not include a mobile home.

**RECYCLING FACILITY**

Means a *premises* in which used or recyclable materials are temporarily stored, separated and/or processed into recoverable resources for reuse, but shall not include a *composting facility* or *motor vehicle salvage yard*.

**RESEARCH & TECHNOLOGY USE**

Means an activity of research into the development of new products, technologies and processes that is carried out in an *office* or industrial *building* but shall not include *uses* which produce biomedical waste.

**RESTAURANT**

Means a *premises* in which the principal business is the preparation and serving of food and refreshments to the public for immediate consumption within the establishment or on an *abutting* terrace or patio, and which may include home delivery, catering or food pick-up/ take-out services.

**RESTAURANT, TAKE OUT**

Means a *premises* having less than eleven (11) seats for customers, where food and drink are prepared and offered for sale to the public primarily to be taken out or delivered for consumption off the premises.

**RETAIL STORE**

Means a *premises* in which goods, wares, merchandise, substances, articles, things or services are offered or kept for sale at retail or on a rental basis.

**RETAIL STORE 1**

Means a *retail store* that has a *gross floor area* of less than 930m<sup>2</sup>.

**RETAIL STORE 2**

Means a *retail store* that has a *gross floor area* equal to or greater than 930m<sup>2</sup> and less than 2750m<sup>2</sup>.

**RETAIL STORE 3**

Means a *retail store* with a minimum *gross floor area* of 2750m<sup>2</sup> and up to a maximum *gross floor area* of 37,160m<sup>2</sup> where the entire floor area of the *use* is occupied by a large single user selling one product or a variety of products and may also include a *Warehouse membership club*.

**ROOF**

Means a component of a *building* or *structure* that is supported by walls and/or columns and which provides overhead shelter from the rain and/or sun.

**SALVAGE YARD**

Means an area outside of an enclosed *building* where *motor vehicles* are disassembled and dismantled, or where vehicles in an inoperable condition or *used motor vehicle* parts are stored or re-sold, but does not include a *Towing Yard*.

**SCHOOL, ADULT EDUCATION (38-2019)**

Means the use of a premises for a publicly funded institution for academic instruction which offers courses such as language, literacy and basic skills programming, credit courses for adults, continuing education programs, general interest courses, or Canadian citizenship preparation programs, but does not include a *School, Post-Secondary, Commercial School-Skill* or *Commercial School – Trade/Profession*.”

**SCHOOL, ELEMENTARY (38-2019)**

Means the use of a premises for a provincially approved institution for academic instruction typically offered from kindergarten to grade eight including a public, private, or separate school, but does not include a *Commercial School-Skill* or *Commercial School – Trade/Profession*.”

**SCHOOL, SECONDARY (38-2019)**

Means the use of a premises for a provincially approved institution for academic instruction typically offered from grade nine to grade twelve including a public, private or separate school, but does not include a *Commercial School-Skill* or *Commercial School – Trade/Profession*.”

**SCHOOL, POST-SECONDARY (38-2019)**

Means the use of a premises for education purposes by a degree, diploma, or certificate granting college or university under Provincial legislation, but does not include a *Commercial School-Skill* or *Commercial School – Trade/Profession*.”

**SERVICE AND REPAIR SHOP**

Means a *premises* used for the servicing or repairing of articles, goods, or materials and may include small engine repair including the servicing and repairing of snowmobiles, all-terrain vehicles, motorcycles, lawn and *garden* equipment, and heating, ventilation and air conditioning systems, and motor vehicle audio equipment, but does not include a *Motor Vehicle Service Station*.

**SETBACK**

Means the horizontal distance of a structure or feature from the property line or other feature.

**SHARED HOUSING (058-2019)**

Means a living arrangement which is licensed or regulated under a provincial or federal statute, and the operation is subject to provincial or federal oversight, where up to ten (10) individuals, exclusive of staff, share accommodation as a single housekeeping unit within a dwelling unit and are supported and/or supervised within that unit.

**SHIPPING CONTAINER**

Means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated *use* and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport *trailer* or straight truck box, but does not include a *motor vehicle*.

**SHORT-TERM RENTAL (056-2022)**

Means the rental of a *dwelling unit* or part thereof offering short term lodging for compensation for 28 days or less that does not provide meals or other commercial services. A short-term rental does not include a *Bed and Breakfast Establishment*.

**SOCIAL SERVICES ESTABLISHMENT**

Shall mean a building in which non-profit services intended to promote and improve the independence economic self-sufficiency, social and health development of citizens are provided and shall include but not be limited to clerical, administrative, consulting, counseling, office, religious and recreational functions for a non-profit agency but shall not include a retail store or facilities in which overnight accommodation is provided.

**SPECIALTY FOOD STORE (052-2018)**

Means a *premises* specializing in the sale of specific type or class of foods, such as a bakeshop, delicatessen, coffee shop, ice cream parlour, gourmet, or similar foods and does not include a fast

food retail outlet, *restaurant* or on-site food preparation that involves frying, and may include a seating area comprising no more than 25% of the total gross floor area.

**STAIRS**

Means any combination of risers and treads that provides access to a *deck*, landing, *porch/veranda*, *dwelling unit* or any other *building* or *structure* or combination thereof.

**STEP BACK (089-2022)**

Means the horizontal distance from a *main wall* on the lower floors of a *building* to a *main wall* on the uppermost floors of a mid-rise *building* or the *tower* portion of a tall *building*, projecting *balconies* excepted.

**STOREY**

Means the portion of a *building* other than a *cellar* or *basement* included between any floor level and the *floor*, ceiling or roof next above it.

**STREET, PRIVATE**

Means a private right-of-way that is *used* by *motor vehicles* but is not owned by *Council* or any other *public authority*. (Note *Community Services* recommends *roadway* as opposed to *right-of-way*)

**STREET, PUBLIC**

Means a roadway owned and maintained by a *public authority* and for the purposes of this By-law does not include a *Provincial Highway*, a *lane* or any *private street*.

**STREET LINE**

Means the boundary between a *lane*, *public* or *private street* and a *lot*.

**STRUCTURE**

Means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other *structure*.

**SWIMMING POOL**

Means an artificial body of water, the container of which is constructed of man-made materials, having a depth of greater than 0.5m and intended primarily for bathing, swimming and diving, but shall not include a natural, dug or dammed pond that is primarily used for aesthetic, stormwater management, or agricultural purposes.

**THEATRE**

Means any *premises* or part thereof where motion pictures or live performances are shown or held but does not include an *Adult Entertainment Use*.

**TOWER (089-2022)**

Means the portion of a tall *building* above the *podium* including the *tower* top or crown.

**TOWING YARD**

Means a premises used for the impounding and/or storage of recovered motor vehicles which are damaged, disabled, wrecked or abandoned and may include an office for administration and dispatch centre, but does not include a *Transportation Terminal, Salvage Yard, Motor Vehicle Body Shop, Motor Vehicle Repair Garage, or Motor Vehicle Service Station.*

**TRAILER**

Means a vehicle that is at any one time drawn upon a *public street* by a *motor vehicle*, but for the purposes of this By-law, does not include a *mobile home dwelling.*

**TRANSPORTATION TERMINAL (113-2017)**

Means a building, structure or part thereof, where trucks, trailers, or transports are dispatched for hire as common carriers or where freight handling facilities, such as pick-up, delivery and transitory storage of goods incidental to motor freight shipment, is provided, and may include an office building accessory to the transportation terminal use and facilities for the service and repair and washing of the trucks, trailers or transports.

**TRUCK CAMPER**

Means a unit that is constructed in a manner such that it may be attached to a *motor vehicle*, as a separate unit, and is capable of being temporarily utilized for living, sleeping or eating.

**U-BREW ESTABLISHMENT**

Means a *premises* where the public can prepare their own beer and/or wine in a controlled setting.

**USE**

Means the purpose for which any portion of a *lot, building or structure* is designed, arranged, intended, occupied or maintained.

**UTILITIES**

Means any building or structure or part thereof, used for the supply of essential public services, including a water or sewage pipeline or pumping station, a water storage reservoir, an electrical substation, a gas regulator, a gas or oil pipeline, electric power transmission, telecommunications or other cabled services provided by a regulated company or government agency, and includes the offices and/or equipment used in connection with the public utility.

**VETERINARY CLINIC – SMALL ANIMAL**

Means a *premises* where companion animals are given medical or surgical treatment, within which there may be shelter facilities provided for overnight medical treatment but shall not include a *boarding kennel.*

**VETERINARY CLINIC – LARGE ANIMAL**

Means a *premises* where *office uses*, including *accessory* pharmacy and laboratory, are provided for a mobile veterinary operation providing service to food producing animals or horses, but shall not include servicing animals on-site.

**VETERINARY HOSPITAL – SMALL ANIMAL**

Means a *premises* where companion animals are given medical or surgical treatment, within which there may be shelter facilities provided for overnight or long-term medical treatment and may include *accessory* boarding facilities, but does not include a *boarding kennel*.

**VETERINARY HOSPITAL – LARGE ANIMAL**

Means a *premises* where food producing animals or horses are given on-site medical or surgical treatment and may include overnight or long-term medical treatment. *Accessory office use*, pharmacy, laboratory and/or mobile operation are also permitted.

**VIDEO GAME & PINBALL MACHINES**

Means any mechanical or electronic machine or device commonly known as video games or pinball machines, which are operated by coin, token or other such manner by the public for entertainment, amusement or test of skill, but shall not include Video Lottery Terminals.

**VIDEO RETAIL STORE**

Means an establishment where pre-recorded video tape, video discs, game cartridges, DVD's or other similar pre-recorded materials are offered for rent or sale and where video cameras or video players/recorders may be offered for rent, but shall not include *an Adult Video Store*.

**WAREHOUSE/DISTRIBUTION CENTRE**

Means a premises used for the storage and/or distribution of goods, wares, merchandise, substances, articles or things, within a *building* and may include a *commercial storage facility* or facilities for an *accessory* wholesale or retail outlet, but does not include a transportation terminal.

**WAREHOUSE MEMBERSHIP CLUB**

Means a *premises*, where the entire *floor area* of the *use* is occupied by a large single user selling one product or a variety of products in a warehouse format, and where patronage is restricted to businesses and members of the general public having paid a membership fee. Such *use* may also include minor maintenance and repair of automobiles including installation of automotive parts sold within the *premises*.

**WASTE**

Means ashes, garbage, refuse, domestic *waste*, industrial *waste* or municipal refuse and other such materials as are designated in the regulations of the Environmental Protection Act, as amended.

**WASTE, HAZARDOUS**

Any substance or materials that, by reason of their toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person.

**WASTE DISPOSAL AREA**

Means a facility operated by or for the Town of Milton or Region of Halton, where garbage, refuse or domestic or industrial *waste* is disposed of or dumped, and shall include a sewage treatment plant or sewage lagoon.

**WASTE STORAGE AREA**

Space allocated either within a *principal building* or in an *accessory building* or *structure* where garbage, refuse or recycling materials are temporarily stored while awaiting disposal, but does not include any storage for hazardous waste or materials.

**WASTE STORAGE FACILITY**

Means an enclosed *building* or *structure* where *waste* is temporarily stored, but does not include hazardous *waste*.

**WASTE TRANSFER STATION**

Means a *premises* where trucks or transports containing *waste* are temporarily stored, loaded or unloaded.

**WATER TAKING**

Means the extraction of water from an underground or surface water feature for commercial purposes where a Certificate of Approval for water taking is required by the Ministry of the Environment.

**WAYSIDE PIT OR QUARRY**

Means a temporary pit or *quarry* opened and used by or for a *public authority* solely for the purpose of a particular project or contract of road construction and which is not located within the right-of-way of a *public street*, but does not include a licensed *wayside pit* or *quarry*.

**WHOLESALE OPERATIONS**

Means a premises used to sell merchandise to retailers, industrial, commercial, institutional, or professional business users, or to other wholesalers, or acting as agents of brokers and buying merchandise from, or selling merchandise to such individuals or companies but does not include a warehouse membership club.

**YARD**

Means a space, appurtenant to a *principal building* or *structure*, that is located on the same *lot* as the *principal building* or *structure* which is open, uncovered and unoccupied by any *building* or *structure*, except as specifically permitted by this By-law. In determining *yard* measurements the minimum horizontal distance from the respective *lot lines* shall be used.

**YARD, EXTERIOR SIDE**

Means the *yard* of a *corner lot* extending from the *front yard* to the *rear yard* between the *exterior side lot line* and the nearest wall of the *principal building, structure* or *use* on the *lot*.

**YARD, FRONT**

Means a *yard* extending across the full width of the *lot* between the front *lot line* and the nearest wall of the *principal building, structure* or *use* on the *lot*.

**YARD, INTERIOR SIDE**

Means a *yard* other than an *exterior side yard* that extends from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest wall of the *principal building, structure* or *use* on the *lot*.

**YARD, MAXIMUM**

Means the maximum distance of a *yard* from a *lot line*. In calculating the maximum *yard*, the minimum horizontal distance from the respective *lot line* shall be used.

**YARD, REQUIRED**

Means the *yard* required by the provisions of this By-law.

**YARD, REAR**

Means a *yard* extending across the full width of the lot between the *rear lot line* and the nearest wall of the *principal building, structure* or *use* on the *lot*.

**ZONE**

Means a designated area of land *use* shown on the Zoning maps of this By-law.



## **SECTION 4 GENERAL PROVISIONS**

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### **4.0 PERMITTED LOCATION**

*Accessory buildings and/or structures* are permitted in the *yard* noted by the symbol ‘√’ in the column corresponding to the *Zone*. A number(s) following the symbol ‘√’, *Zone* heading, or Provisions heading indicates that one or more conditions apply to the *accessory use, building and/or structure* noted or, in some cases, to the entire *Zone*. Conditions are listed below the Section Table(s) as Footnotes.

### **4.1 ACCESSORY USES, BUILDINGS AND STRUCTURES**

Where a *use* is permitted by a *Zone* designation in this By-law, any *use, building, and/or structure* that is *accessory* to such *use* is also permitted, subject to the provisions contained within this Section of the By-law, or unless elsewhere specified in this By-law.

*Accessory buildings, structures and uses*, are permitted in all *Zones* provided:

- i) The *principal use, building or structure* is specifically permitted by this by-law and is already established on the same *lot*;
- ii) The detached *accessory building or structure* is not used for human habitation or an occupation for gain, unless specifically permitted by this By-law;
- iii) A detached *accessory building or structure*, including any attached or detached *deck*, air conditioning unit and/or heat pump, shall not be situated on or over an easement;
- iv) Notwithstanding the foregoing, a *garden suite* is not permitted as of right within any *Zone*,
- v) Unless specifically permitted elsewhere in this By-law, *outdoor storage and garden center* uses shall not be permitted as an *accessory use* in any *Zone*; and,
- vi) Notwithstanding the above, and unless specifically required elsewhere in this By-law, *accessory retail uses* within a *principal building* in the EMP-2, M1 and M2 *Zones* are limited to 5% of the *Gross Floor Area* of the *principal use* to a maximum of 232.2 m<sup>2</sup>.

**4.2 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES**

**4.2.1 Regulations for Accessory Buildings and Structures in the Residential and Future Development Zones**

In addition to the requirements of Section 4.1, *buildings and structures accessory* to a permitted *use* in a Residential or Future Development Zone, excluding *detached garages, carports and decks*, are permitted subject to the following provisions:

**TABLE 4A (081-2020)(077-2021)(007-2022)**

PROVISIONS	Accessory Buildings and Structures			
	RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7	RMD1, RMD2, FD	RO	RHD
<b>Location</b> (Permitted)				
<i>Front Yard</i>				
<i>Interior Side Yard</i>	√	√	√	√
<i>Exterior Side Yard</i>				
<i>Rear Yard</i>	√	√	√	√
<b>Setbacks</b> (Minimum)				
<i>Front Lot Line</i>	N/A	N/A	N/A	N/A
<i>Interior Side Lot Line</i>	0.6m	0.6m	3.0m	3.0m
<i>Exterior Side Lot Line</i>	0.6m	0.6m	7.5m	7.5m
<i>Rear Lot Line</i>	0.6m	0.6m	3.0m	7.5m
<b>Total Gross Floor Area (*1)</b> (Maximum)	See Footnote (*2)	10m <sup>2</sup>	25m <sup>2</sup>	25m <sup>2</sup>
<b>Building Height</b> (Maximum)	3.0m	3.0m	3.7 m	3.7m
<b>Door Height</b> (Maximum)	N/A	N/A	N/A	N/A

Footnote(s) for Table 4A

(\*1) Total *Gross Floor Area* shall include the aggregate *floor area* for all *accessory buildings and structures* on a *lot* excluding *detached garages and decks*.

(\*2) See Table 4A (I) for maximum Total *Gross Floor area*

**TABLE 4A(I)**

Lot Area	Total Gross Floor Area (*2)
Less than 660 m <sup>2</sup>	12m <sup>2</sup>
660 – 830 m <sup>2</sup>	14m <sup>2</sup>
Greater than 830 m <sup>2</sup>	16m <sup>2</sup>

**4.2.2 Regulations for Attached and Detached Accessory Garages and Carports**

In addition to the requirements of Section 4.1, *attached* and *detached garages* and *carports* are permitted as an *accessory use* in any Residential or Future Development Zone, provided it complies with the following *attached* and *detached garage* and *carport* regulations:

**4.2.2.1 Regulations Common to Both Attached and Detached Garages and Carports (077-2021)(007-2022)**

A *garage* or *carport* is permitted on any *lot* provided that:

- i) An *attached* or *detached garage* or *carport* is not already located on the *lot*;
- ii) The *attached* or *detached garage* or *carport* is directly accessible by a *residential driveway* that satisfies the requirements of Section 5.6.2;
- iii) In no case shall the outside of the *garage* door or front of the *carport* be located any closer than 5.5 m from the *front lot line* or 5.5m from the *exterior side lot line*, if the *driveway* accessing the *lot* crosses the *exterior side lot line*;
- iv) The *garage* door does not exceed 2.43m in *height* and must have a minimum *garage* door opening width of 2.4m, and;
- v) The minimum internal dimensions for an *attached* or *detached garage* or *carport* shall be in accordance with the following:

<b>Garage Type</b>	<b>Minimum Required Internal Dimensions for Both <i>Attached</i> and <i>Detached Garages</i> and <i>Carports</i></b>
Single Car <i>Garage</i>	The minimum size of a <i>parking space</i> shall be 2.9m wide by 6.0m long by 2.1m high of which 2.9m wide by 5.3m long by 2.1m high shall be unobstructed area with the exception of one <i>stair</i> ;
Double Car <i>Garage</i> or Larger with a Single Car Door	The minimum size of a <i>parking space</i> shall be 2.9m wide by 6.0m long by 2.1m high of which 2.9m wide by 5.3m long by 2.1 m high shall be unobstructed area with the exception of one <i>stair</i> ;
Double Car <i>Garage</i> or Larger with Double Car Door	The minimum size of a <i>parking space</i> shall be 5.5m wide by 6.0m long by 2.1m high of which 2.9m wide by 5.3m long by 2.1m high shall be unobstructed <i>area</i> with the exception of one <i>stair</i> .

- vi) Attached and detached garages and carports in the RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, and RLD7 zones are also subject to the provisions of Section 6.3.

**4.2.2.2 Regulations for *Detached Garages and Carports***

- i) In addition to the regulations set out in Section 4.2.2.1, a *detached garage or carport* is permitted on a *lot* in accordance with the following requirements:

<b>Requirements Common to Both <i>Street Access and Lane Access Detached Garages and Carports</i></b>
<ul style="list-style-type: none"> <li>a) it is located in the <i>interior side yard</i> or <i>rear yard</i> of the <i>lot</i> only;</li> <li>b) it is located no closer than 0.6 m from an <i>interior side lot line</i>, unless it is attached to a <i>detached garage or carport</i> on an <i>abutting lot</i>;</li> <li>c) it is located no closer to the <i>exterior side lot line</i> than permitted for the <i>principal building</i>;</li> <li>d) it does not exceed a <i>height</i> of 4.3 m; and,</li> <li>e) The <i>gross floor area</i> of the <i>detached garage or carport</i> does not exceed 10% of the <i>lot area</i></li> </ul>

- ii) In addition to the requirements set out in subsection i), *street access detached garages and carports* shall also comply with the following requirements:

<b>Requirements Specific to <i>Street Access Detached Garages and Carports</i></b>
<ul style="list-style-type: none"> <li>a) it is located no closer than 0.6 m from the <i>rear lot line</i>, if the <i>garage or carport</i> is accessed by a <i>residential driveway</i> crossing either the <i>front lot line</i> or an <i>exterior side lot line</i>; and,</li> <li>b) it is located no closer than 1.2m from the <i>principal building</i> on a <i>lot</i>;</li> </ul>

- iii) In addition to the requirements set out in subsection i), *lane access detached garages and carports* shall also comply with the following requirements:

<b>Requirements Specific to <i>Lane Access Detached Garages and Carports</i></b>
<ul style="list-style-type: none"> <li>a) it is located no closer than 5.5 m from the <i>principal building</i> on a <i>lot</i>;</li> <li>b) it is located no closer than 1.0 m from the <i>rear lot line</i> if the <i>lot</i> is accessed by a <i>residential driveway</i> from a <i>lane</i> crossing the <i>rear lot line</i>;</li> <li>c) it is located no closer than 0.6 m from the <i>rear lot line</i> if the <i>garage or carport</i> is accessed by a <i>residential driveway</i> crossing either the <i>front lot line</i> or <i>exterior side lot line</i>; and,</li> <li>d) The required outside <i>parking spaces</i> on a <i>lot</i> accessed by a <i>residential driveway</i> from a <i>lane</i> are:                         <ul style="list-style-type: none"> <li>iii) located parallel to each other, whether in or outside of a <i>detached garage or carport</i>;</li> <li>and,</li> <li>iv) shall be located no farther than 6.0 m from the <i>rear lot line</i>.</li> </ul> </li> </ul>

**4.2.3 Regulations for *Accessory Buildings and Structures* in the Non-Residential Zones**

- i) In addition to the requirements of Section 4.1, *accessory buildings and structures* are permitted in all non-residential *Zones*, excluding the *Natural Heritage, Open Space and Future Development Zones*, subject to the following:

**TABLE 4B**

<b>PROVISIONS</b>	<b>Accessory Buildings and Structures</b>	
<b>Location</b> (Permitted)	<i>Front Yard</i>	
	<i>Interior Side Yard</i>	√
	<i>Exterior Side Yard</i>	
	<i>Rear Yard</i>	√
<b>Setbacks</b> (Minimum)	<i>Front Lot Line</i>	N/A
	<i>Interior Side Lot Line</i>	3.0m <b>(*1)</b>
	<i>Exterior Side Lot Line</i>	In accordance with the required <i>exterior side yard setbacks</i> for the <i>zone</i>
	<i>Rear Lot Line</i>	3.0m <b>(*1)</b>
<b>Building Height</b> (Maximum)	5.5m	
<b>Floor Area</b> (Maximum)	93m <sup>2</sup>	

Footnote(s) for Table 4B

(\*1) Notwithstanding the above requirements, where a *lot line abuts* a residential *Zone*, *setbacks* shall be provided in accordance with *principal use*.

- ii) Notwithstanding the above requirements, *buildings* and *structures* greater than 93m<sup>2</sup> are permitted in the I-B, M1 and M2 *Zones* only, and shall be subject to all of the *Zone* standards for the *principal use* but shall not include any parking and loading provisions contained within this By-law; and;
- iii) Within any non-residential *Zone*, a detached gatehouse of a maximum size of 9.3m<sup>2</sup> with a maximum *height* of 3.0m is permitted in the *front yard*, and in any required *landscape buffer* provided it is located no closer than 3.0m from any *street line* and 0.6m from any other *lot line*.

**4.2.4 Regulations for Accessory Buildings and Structures in the Natural Heritage and Open Space Zones**

- i) In addition to the requirements of Section 4.1, residential and non-residential *accessory buildings* and *structures*, including *detached garages* and *carports* are permitted on any *lot* in the Natural Heritage System and Open Space *Zones* in accordance with the following:

**TABLE 4C**

PROVISIONS	<b>Accessory Buildings and Structures</b>			
	NHS	OS	OS-2	GC
	Natural Heritage Zone (*1)	Open Space	Storm Water Management	Golf Course
<b>Location</b> (Permitted)				
<i>Front Yard</i>		√	√	√
<i>Interior Side Yard</i>		√	√	√
<i>Exterior Side Yard</i>		√	√	√
<i>Rear Yard</i>		√	√	√
<b>Setbacks</b> (Minimum)				
<i>Front Lot Line</i>	N/A	6.0m	0.0m	25.0m
<i>Interior Side Lot Line</i>	N/A	12.0m	0.0m	25.0m
<i>Exterior Side Lot Line</i>	N/A	6.0m	0.0m	25.0m
<i>Rear Lot Line</i>	N/A	12.0m	0.0m	25.0m
<b>Building Height</b> (Maximum)	N/A	5.5m	N/A	5.5m
<b>Floor Area</b> (Maximum)	N/A	93m <sup>2</sup>	N/A	93m <sup>2</sup>

Footnote(s) for Table 4C

(\*1) *Accessory buildings and structures* are not permitted in a *Natural Heritage System Zones* unless otherwise specified in Section 2.5 of this By-law.

- ii) No more than two *accessory buildings* are permitted on a *lot* that has a *lot area* less than 0.8 hectares; and,
- iii) Notwithstanding the above requirements, *buildings and structures* greater than 93m<sup>2</sup> are permitted in the *OS Zone* and shall be subject to all of the *Zone* standards for the *principal use* but shall not include any parking and loading provisions contained within this By-law

### 4.3 DECKS

#### 4.3.1 Regulations for Decks in the Residential and Future Development Zones (113-2017)

*Decks* are permitted *accessory* to a residential use, in a Residential Zone or Future Development Zone, provided they are not constructed on or over any easement in favour of the Town of Milton, in accordance with the following:

**i) TABLE 4D (081-2020)(077-2021)(007-2022)**

PROVISIONS	DECK	
	ZONES	
	RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7, RMD1, RMD2, FD	
	Up to 1.2 m above grade	Greater than 1.2m above grade
<b>Location</b> (Permitted)		
<i>Front Yard</i>		
<i>Interior Side Yard</i>	√	
<i>Exterior Side Yard</i>	√	
<i>Rear Yard</i>	√	√
<b>Setbacks</b> (Minimum)		
Front Lot Line	N/A	N/A
Interior Side Lot Line	0.6m(*1)	See Footnote (*2)
Exterior Side Lot Line	0.6m	See Footnote (*2)
Rear Lot Line	3.0m	3.0m (*3)

Footnote(s) for Table 4D

- (\*1) Notwithstanding the above, in the case of a *semi-detached dwelling* or *townhouse dwelling*, a 0.0m *setback* shall be permitted.
- (\*2) The *deck* shall be located no closer to an *exterior* and *interior side lot line* than the *principal building*.
- (\*3) A *deck* may project no more than 4.0m into the *rear yard* from the wall of the *principal building* closest to the *rear lot line*, excluding any *bay / boxed windows* or chimney breast projections.

- ii) The platform of a *deck* permitted in accordance with the above, shall in no case be higher than the floor of the *first storey*.

#### 4.3.2 Regulations for Decks in the Non-Residential Zones

*Decks* are permitted *accessory* to a non-residential use in any *yard* of a non-residential zone, excluding the Natural Heritage and Future Development Zones, provided such *deck* maintains the minimum *yard* requirements of the Zone and is located outside of any required *landscape buffer*, required *parking space(s)*, and *access driveways*.

#### 4.4 PORCHES AND VERANDAS

*Porches / verandas* may be permitted *accessory* to a residential use in accordance with the following:

- i) *Porches / verandas*, including any *stairs*, are permitted in any *yard*; and,
- ii) Unless otherwise specified by this By-law, *porches / verandas* shall comply with the setback requirements for the principal use or, where applicable, the *encroachment* provisions contained within this By-law.

**4.5 BALCONIES (089-2022)**

*Balconies* may be permitted *accessory* to a residential *use* in accordance with the following:

- i) For all dwelling types, excluding apartment buildings, balconies are permitted in the rear yard, exterior side yard, and front yard;
- ii) Notwithstanding the above, *balconies* are permitted in all yards for *apartment buildings* and *mixed use buildings* only, and;
- iii) Unless otherwise specified by this By-law, *balconies* shall comply with the *setback* requirements for the *principal use* or, where applicable, the encroachment provisions contained within this By-law.

**4.6 HEATING, VENTILATION AND AIR CONDITIONING EQUIPMENT (HVAC) (38-2019)**

**4.6.1 Regulations for Ground Level HVAC**

- i) Ground level HVAC and emergency generators are permitted *accessory* to a *residential use* in the Residential Zones, excluding the RHD and RO Zones, and in the Future Development Zone in accordance with the following:

**TABLE 4E**

PROVISIONS	Air Conditioning and Heat Pumps
<b>Location</b> (Permitted)	
<i>Front Yard</i>	
<i>Interior Side Yard</i>	√
<i>Exterior Side Yard</i>	
<i>Rear Yard</i>	√
<b>Setbacks</b> (Minimum)	
<i>Front Lot Line</i>	N/A
<i>Interior Side Lot Line</i>	0.6m
<i>Exterior Side Lot Line</i>	1.2m
<i>Rear Lot Line</i>	0.6m

- ii) Ground level H.V.A.C. equipment and emergency generators shall be permitted on any *lot* in a non-residential, RHD, or RO Zone, provided that such units are *setback* a minimum of 3.0m from any *lot line* and are screened from the *street* and any *abutting* residential zone.



**4.6.2 Regulations for Roof-mounted HVAC**

Roof-mounted H.V.A.C. equipment shall be permitted on any *lot*, and with the exception of the M2 *Zone*, shall be screened from any *public street* and from any *abutting residential zone*.

**4.7 SWIMMING POOLS**

Notwithstanding any other provisions of this By-law, an outdoor *swimming pool* may be permitted *accessory* to a residential *use* in any *zone* provided it complies with the following:

- i) Such *swimming pool* shall be located in an *interior side yard* or *rear yard* only;
- ii) Any *swimming pool*, jacuzzi, hot tub, or associated water circulating, heating or treatment equipment shall be *setback* 1.2m from any *side* or *rear lot line*;
- iii) Notwithstanding subsection ii) to the contrary, water circulating, heating or treatment equipment associated with a *swimming pool* where contained in an enclosed, *detached accessory building* shall be subject to the *accessory building* and *structure setbacks* contained in this By-law;
- iv) Notwithstanding any other provision contained in this By-law, any detached *deck* associated with an above-ground *swimming pool* shall be subject to the following provisions:

<b>Deck Height above Grade</b>	<b>Detached Deck Regulations for Above Grade Swimming Pools</b>
Over 0.6m (60cm) to 1.2m	Detached <i>decks</i> associated with any above <i>grade swimming pool</i> , including <i>stairs</i> or <i>landings</i> , shall be permitted in an <i>interior side yard</i> and <i>rear yard</i> , provided the <i>deck</i> is <i>setback</i> a minimum 1.2 m from any <i>interior</i> or <i>exterior side lot line</i> and a minimum 3.0 m from a <i>rear lot line</i> ;
Over 1.2m	Detached <i>decks</i> associated with any above <i>grade swimming pool</i> , including any <i>stairs</i> or <i>landings</i> , shall be permitted in the <i>rear yard</i> only, and shall be <i>setback</i> a minimum 1.2m from any <i>interior</i> or <i>exterior side lot line</i> and a minimum 3.0 m from a <i>rear lot line</i> ; and
0.6 m (60cm) or less	Detached <i>decks</i> associated with any above <i>grade swimming pool</i> shall be permitted in an <i>interior side yard</i> and <i>rear yard</i> , and shall not be subject to <i>setback</i> requirements.

- v) *Swimming pools* and associated water circulating, heating or treatment equipment shall be enclosed by a *fence* in accordance with the Town of Milton *Pool Fence Enclosure By-law*, as may be amended from time to time.

## **4.8 FENCING**

### **4.8.1 Regulations for Fences in Residential Zones**

*Fences* and walls are permitted in any residential *Zone* subject to the following:

- i) Within an *exterior side yard*, *interior side yard* or *rear yard*, the maximum fence *height* shall be 2.0m;
- ii) Notwithstanding i) above, *fencing* around the perimeter of a *deck* is permitted to a maximum *height* of 1.5m from the *decks* platform and to a maximum 60% of the perimeter of the *deck* including the wall of the house,
- iii) Within a *front yard*, the maximum *fence height* shall be no higher than 1.0m except that where a *front yard* adjoins the *rear yard* of a *corner lot* the maximum *fence height* along the common property boundary may be no higher than 2.0m;
- iv) *Fence height* shall be measured vertically from *grade*, exclusive of any artificial embankment, to the highest point of each 3.0m section of *fence*, excluding decorative post caps, and mechanical devices directly associated with the opening and closing of a gate, and;
- v) Where the *grade* elevations along the *fence* vary, maximum *fence height* may increase to 2.3m provided that the lowest *height* of the same 3.0m *fence* section does not exceed 2.0m in *height*;
- vi) *Fencing* for the purpose of enclosing a tennis court is permitted to a maximum *height* of 3.0m;
- vii) Where a *lot line* of a residential *Zone* *abuts* a *lot line* of a non-residential *Zone*, the permitted *fence height* may be increased to the non-residential *fence height* for such mutual *lot line*, and;
- viii) Noise barriers and *fencing* required by a *public authority* shall not be subject to the provisions of this By-law.

### **4.8.2 Regulations for Fences in Non-Residential Zones**

*Fences* are permitted in all non-residential *Zones*, including Natural Heritage *Zones* and Future Development *Zones* in accordance with the following:

- i) *Fences* shall have a maximum *height* of 3.0m, with the exception of *fencing* necessary for the development and safety of playing fields, where no *height* restrictions apply; and,
- ii) Notwithstanding the above, *fencing* required by a *public authority* shall not be subject to the provisions of this By-Law;

#### 4.9 SATELLITE DISHES

Satellite dish antennae are permitted in any *Zone* provided that:

- i) it does not exceed a diameter of 1.3m; and,
- ii) it is attached to the *principal building*.

#### 4.10 ACCESSORY DWELLING UNITS (113-2017)

An *accessory dwelling unit* is permitted in a single *detached dwelling* or a *semi-link dwelling* only, provided that:

- i) Only 1 *accessory dwelling unit* shall be permitted per *lot* and shall be located within the main *dwelling unit*;
- ii) A minimum of 1 *parking space* per *accessory dwelling unit* is provided in addition to the required parking for the main *dwelling unit*;
- iii) The *dwelling* must be on full municipal water and wastewater services; and,
- iv) The *accessory dwelling unit* shall not exceed a maximum size of 85m<sup>2</sup>.

#### 4.11 HOME OCCUPATIONS (113-2017)

Where a *home occupation* is permitted, the following provisions apply:

- i) The following uses shall be permitted as a home occupation. Uses marked with an asterisk (\*), shall be subject to approval from the Halton Region Health Department:
  - a) Music, art, tutoring or fitness instruction
  - b) Office Use
  - c) Pet Grooming
  - d) Baking or Catering, provided that the use can be conducted within the existing kitchen (\*)
  - e) Personal Service Shop (\*)
- ii) Only one (1) Home Occupation shall be permitted in a dwelling unit.
- iii) Only the resident(s) of the *dwelling unit* is/are engaged in the business and working from the *dwelling unit*;
- iv) The *use* is restricted to the *dwelling unit* and is not conducted in whole or in part in any *accessory building*;
- v) The *use* is clearly secondary to the residential *use* and does not change the residential character of the *dwelling* and *lot*;

- vi) No more than 25% of the *gross floor area* or 30 m<sup>2</sup> of the *dwelling unit*, whichever is lesser, is used for the purpose of the *home occupation*;
- vii) *Outdoor storage* or *outdoor retail display* of merchandise, material or equipment is prohibited;
- viii) There is no sale of retail goods from the premises;
- ix) There is no external advertising other than a sign erected in accordance with the Town of Milton Sign By-law;
- x) Material or equipment for use in the *dwelling unit* for conducting the *home occupation* may be stored in an *existing garage* or shed, providing such *garage* or shed is completely enclosed and is located on the lot from which the *home occupation* is being conducted, and further, such storage of materials and equipment shall not occupy or utilize any required *parking spaces*;
- xi) No equipment or process shall be used which creates or becomes a public nuisance in regard to noise, odour, fumes, vibration, glare, traffic or parking nor shall it cause electrical interference or interference with telephone, television, radio or satellite equipment reception; and,
- xii) Home occupations that have customers, clients or patients attending the dwelling, shall provide one (1) off-street parking space in addition to the required parking for the residential use;
- xiii) The dwelling unit associated with the home occupation must be the principal private residence (not an occasional or casual residence) of the resident operating the home occupation;
- xiv) No more than one (1) client or customer shall be serviced at any one time; and,
- xv) Notwithstanding anything to the contrary, the following uses shall be prohibited as a home occupation:
  - a) Motor Vehicle Body Shop
  - b) Motor Vehicle Dealership
  - c) Motor Vehicle Rental Agency
  - d) Motor Vehicle Repair Garage
  - e) Motor Vehicle Washing Establishment
  - f) Body Rub Parlour
  - g) Medical Clinic
  - h) Place of Worship  
Kennel.

#### 4.12 SHARED HOUSING (058-2019)

*Shared Housing* is permitted in accordance with the following:

- i) *Shared Housing* shall be permitted as a residential use where that use is permitted in the zone.

#### 4.13 COTTAGE INDUSTRIES AND HOME INDUSTRIES

Where a *cottage industry* or *home industry* is permitted, the following provisions apply:

- i) The *cottage industry* or *home industry* shall be clearly secondary and *accessory* to the *principal use* on the same *lot*;
- ii) The *gross floor area* shall not exceed a maximum of 93m<sup>2</sup>;
- iii) It is located on a *lot* that has a minimum *lot area* of 4.0 hectares;
- iv) An *accessory building* and any associated activity *area* (including the parking of commercial vehicles for a *home industry*) used for the *cottage industry* or *home industry* shall be located no closer than 30.0m from any *lot line*;
- v) *Outdoor storage* of goods or materials related to a *home industry* is permitted in the *rear yard* and *interior side yards* only, provided that the *area* occupied by such *outdoor storage* of goods or materials does not exceed 25% of the *gross floor area* of the *home industry*;
- vi) Only the sale of goods that are primarily manufactured, processed, fabricated, or produced on the *premises* is permitted;
- vii) Not more than 1 employee, in addition to residents of the *dwelling*, are engaged in the business;
- viii) There is no external advertising other than a sign erected in accordance with the Town of Milton Sign By-law; and,
- ix) No more than two commercial *motor vehicles* engaged in the *home industry* are permitted to be parked on the *lot*.

#### 4.14 WASTE STORAGE AREAS

##### 4.14.1 Regulations for Waste Storage Areas in the Residential Zones (052-2018)

- i) *Waste Storage Areas*, including *recycling facilities* are permitted only in the RHD, RO, and MU Zones as an *accessory use* to a permitted residential *use* provided they are contained within the main *building*, and;

- ii) Notwithstanding subsection i) above, *waste storage areas* may be permitted in the RMD1 Zone or RMD2 Zone, or outside of a main building in the MU Zone, RHD Zone or RO Zone provided the *waste* is contained within a deep collection waste disposal system, in accordance with the provisions of Section 4.14.2 v).

**4.14.2 Regulations for Waste Storage Areas in the Non-Residential Zones**

*Waste storage areas*, including *recycling facilities* are required in all non-residential Zones excluding the Natural Heritage Zones subject to the following:

- i) *Waste storage* shall be contained within a *principal building* or within a *detached accessory building or structure*;
- ii) Where *waste storage* is contained within a *principal building* a central *waste storage* location may be permitted provided each unit has unrestricted access to the centralized *waste storage* location;
- iii) Notwithstanding Section 4.2.3, where a *waste storage area* is located within a *detached accessory building or structure*, it shall comply with the following provisions:

**TABLE 4G (38-2019)**

<b>PROVISIONS</b>	<b><i>Detached Accessory Waste Storage Buildings and Structures</i></b>
<b>Location</b> (Permitted)	Permitted in any yard with the exception of the front yard and exterior side yard
<b>Setbacks</b> (Minimum)	
<i>Front Lot Line</i>	(*1)
<i>Interior Side Lot Line</i>	3.0m (*2)
<i>Exterior Side Lot Line</i>	3.0m
<i>Rear Lot Line</i>	3.0m (*2)
<b>Building Height</b> (Maximum)	3.0m
<b>Floor Area</b> (Maximum)	20m <sup>2</sup>

Footnote(s) for Table 4G

(\*1) Minimum *setback* from the intersection of any *front lot line* and *exterior side lot line* is 30m.

(\*2) Notwithstanding the above, where a *lot line abuts* a residential zone the *building* shall be *setback* a minimum of 7.5m.

- iv) *Food waste* associated with a *restaurant* or *food store use* shall be *stored* in an enclosed refrigerated *facility*, including portable refrigeration units, or a deep collection *waste disposal* system where permitted by this By-law;
- v) Notwithstanding Subsection i) and iii) *waste* produced by a principal permitted *use* may be stored outside of a main *building* or *accessory building / structure* in any non-residential *Zone*, provided the *waste* is contained within a deep collection *waste disposal* system, comprised of a sealed container with a lockable lid located primarily

below *grade*, on the same *lot* the *use* is intended to serve and complies with the following:

- a) Deep collection *waste* disposal container(s) shall be permitted in any yard with the exception of a front yard and exterior side yard;
- b) Deep collection *waste* disposal container(s) shall be located no closer than 1.5 m from a *rear* or *interior side lot line*;
- c) Notwithstanding the above, deep collection *waste* disposal containers located in a *rear* or *interior side yard abutting* a Residential *Use* or *Zone* shall be *setback* a minimum 3.0m from the mutual *lot line*;
- d) Deep collection *waste* disposal container(s) shall be located no closer than 0.30 m from a *building* or *parking area*; and,
- vi) Only *waste storage facilities* contained within a principal *building* or within an *accessory building* or *structure* must be accessible to *service* vehicles by a *driveway* having a minimum width of 3.5 m.

#### 4.15 GARDEN CENTRES

A Garden Centre shall be permitted accessory to a *Retail Store 2*, a *Retail Store 3*, a *Food Store*, a *Contractors Yard*, a *Building Supply Store* and a *Warehouse Membership Club* in accordance with the following:

- i) Where a *Garden Centre* is located within a free-standing, single-unit *accessory building* or *structure*, the maximum permitted size shall be 2000 m<sup>2</sup>, and the maximum permitted *height* shall be 5.5 m;
- ii) Where a *Garden Centre* is located outside of a *building* or *structure*, the maximum permitted land *area* for the *use* shall be 2000 m<sup>2</sup>;
- iii) In any *Zone*, excluding the Major Commercial *Zone*, the maximum combined *area* of any *land, building, or structure* for a *Garden Centre Use* shall be 2000 m<sup>2</sup> per *lot*;
- iv) Notwithstanding i), ii) and iii) above, where located adjacent to, and forming part of a *building* containing a permitted principal *use*, a *Garden Centre* may exceed 2000 m<sup>2</sup> provided it complies with all the *Zone* Standards of the applicable *Zone*, including the *parking* and *loading* provisions of this By-law;
- v) A *Garden Centre Use* shall not be located within any *required yard*, required *parking space, loading space*, required landscaping, and *day lighting triangle*;
- vi) Notwithstanding any provision to the contrary, within an M2 *Zone*, *Garden Centres* shall only be permitted within a free-standing, single-unit *accessory building* or *structure*; and,

- vii) A *Garden Centre Use* shall be located no closer than 15.0 m from a Residential Zone boundary.

#### 4.16 OUTDOOR RETAIL DISPLAY

An *outdoor retail display area* accessory to a permitted *retail use* or *equipment sales and rental use* is permitted in any non-residential Zone provided:

- i) The *outdoor display area* shall be located outside of any *building* or *structure* and outside of any required *yard*;
- ii) Notwithstanding i) above, *outdoor retail display* is permitted in a required *front* or *exterior side yard* in the UGC-MU Zone;
- iii) The *outdoor retail display area* does not obstruct pedestrian and vehicular traffic;
- iv) The area shall be located outside of any required *parking* and/or *loading areas* or any required *landscaped open space*; and,
- v) The area shall be located no closer than 15.0m to a Residential Zone.

#### 4.17 SHIPPING CONTAINERS

Unless otherwise specified by this By-Law *shipping containers* shall only be permitted in a M2 Zone and shall be provided in accordance with the following:

- i) *Shipping containers* shall only be permitted as an *accessory use* to a permitted non-residential *use* on a *lot* where a *principal building* exists;
- ii) Unless stated elsewhere in this By-law, *shipping containers* are only permitted for *accessory storage* purposes, based on *lot area* at a rate of one (1) *shipping container* per 0.4ha or part thereof to a maximum of four (4). In no case is a *shipping container* permitted on a *lot* having an area of less than 0.4ha;
- iii) In no case shall a *shipping container* exceed a *height* of 3m and a total length of 16.76m;
- iv) A *shipping container* shall only be located in the *rear yard* and shall be located no closer than 30m from any *street line*;
- v) A *shipping container* shall be screened from view from the *street* and *abutting* properties *zoned* Residential, Institutional, or *Natural Heritage*;
- vi) Unless elsewhere stated in this By-law a *shipping container* shall not be located in a *required parking area* and in no case shall encroach into a required *landscape buffer*;
- vii) A *shipping container* shall not be placed for the purpose of display or advertising, and;



- viii) Notwithstanding any other provision to the contrary, a *shipping container* shall not be used for the purpose of a *commercial storage facility*.

#### **4.18 RESTAURANT PATIOS (089-2022)**

A *Restaurant Patio* is permitted in any non-residential *Zone* subject to the following:

- i) i) The *Restaurant Patio* is permitted as an *accessory use* to a permitted *Restaurant* located within a *principal building*;
- ii) *Restaurant Patios* shall be permitted in any *yard*;
- iii) In the case of a roof-top *Restaurant Patio*, it shall be located directly above the permitted *Restaurant*;
- iv) A *Restaurant Patio* shall not be permitted in any *yard abutting* a residential *Zone*, or in the case of a roof-top patio / terrace it shall not be located on *lands abutting* a residential *Zone*;
- v) A *Restaurant Patio* shall be located a minimum 1.0m from any *street line* and 1.5m from any other *lot line*;
- vi) Notwithstanding v) above, a *restaurant patio* is permitted 0.0m from any *street line* in the UGC-MU *Zone*;
- vii) The *Restaurant Patio* shall be located a minimum of 1.2m from any *parking area*;
- viii) The *Restaurant Patio* shall not be fully enclosed; and,
- ix) Notwithstanding any requirements to the contrary, a *restaurant patio* may encroach into a *Landscape Buffer*, with exception of a *landscape buffer abutting* a *Natural Heritage System Zone* or a *Residential Zone*, but at no time shall the occupied area be included in *landscape open space* calculations.

#### **4.19 SPECIAL BUILDING AND STRUCTURE PROVISIONS**

Notwithstanding any other provision of the By-Law, the following special *building* and *structure* provisions shall apply:

##### **4.19.1 Pre-requisites to Erecting, Using or Occupying a Building or Structure (38-2019)**

- i) Notwithstanding any other provision in this By-law, no *building* or *structure* shall be erected on a *lot* that does not have *frontage* on a *public street* or on a *private street* as described in a registered Plan of Condominium.
- ii) No *building* or *structure* may be erected, used or occupied unless:

- a) connection to the municipal water and wastewater systems has been approved by Halton Region where such services are required by the Ontario Building Code; or, where municipal service is not available, receipt of confirmation from Halton Region’s Medical Officer of Health of a potable water supply and from the Town’s Chief Building Official of private sewage disposal system in accordance with the Ontario Building Code have been received, and;
  - b) the municipal urban *street* standard of base course asphalt is provided adjacent to the *frontage* of the *lot* and connecting the *lot* to an assumed municipal *street*; or
  - c) for *lots* serviced by a *private street* or *lane* and deemed to be a *public street* or *lane* that existed on August 8, 2005 the *existing street* standard is provided adjacent to the *frontage* of the *lot* or connecting the *lot* to an assumed municipal *street*; or
  - d) for *lots* of record that existed on August 8, 2005, not meeting the requirements of (i) and (ii) above, the *existing municipal street* standard is provided adjacent to the *frontage* of the *lot* or connecting the *lot* to an assumed municipal *street*; and;
- iii) Any planned public storm water management facilities are constructed and operational to service the *lot*, and;
  - iv) All planned public underground services required to be installed pursuant to i) and ii) are constructed and operational to service the *lot*, and;
  - v) Notwithstanding iii) and iv) above, partial *building* permits as described in the “Building By-law” may be issued, and;
  - vi) Notwithstanding i), ii), iii), and iv) above, permits for temporary *uses* as described in 4.20.2 may be issued.

#### **4.19.2 Dwelling Units (052-2018)**

A maximum of one residential *building* is permitted on a *lot*, or on a parcel of tied land in a Common Element condominium or on a unit in a condominium in accordance with the Condominium Act, for the following:

- a) a *detached dwelling*;
- b) a *duplex dwelling*;
- c) a *semi-detached dwelling*;
- d) a *townhouse dwelling*, including a *deck-townhouse dwelling*;
- e) a *back-to-back townhouse dwelling*; and,
- f) a *live work unit*.

#### **4.19.3 Non-Complying *Buildings* and *Structures***

##### **4.19.3.1 Repair or Strengthening**

A *non-complying building* or *structure* that was legally established prior to the passing of this By-law may be repaired or strengthened provided that the repair or strengthening:

- i) does not further encroach into any *yard*;
- ii) does not increase the amount of *floor area* or volume in any *yard*;
- iii) does not in any other way increase a situation of non-compliance, and;
- iv) complies with all other applicable provisions of this By-law.

##### **4.19.3.2 Acquisition by a Public Authority (38-2019)**

- a) No existing lot, building or structure shall be deemed to have come into contravention with any regulations or provisions of this By-law by reason that any part or parts of the lot has or have been conveyed to or acquired by any public authority.

This provision shall not apply where the conveyance of any part or parts of the lot to any public authority is required as a condition of an approval required for the creation of a lot, or where the construction of a new building or structure or addition to a building would further increase the extent or degree of non-conformity.

- b) Where subsection (a) above applies and a new building or structure is proposed:
  - i) Lot area, lot depth, lot frontage and lot coverage shall be calculated using the original lands conveyed to or acquired by the public authority; and,
  - ii) All other regulations shall be calculated using the remaining lands not conveyed to or acquired by the public authority.

##### **4.19.4 Exceptions to *Height* Requirements (113-2017)**

The *height* regulations contained in this By-law shall not apply to the following structures or features:

- i) any *utility buildings* or *structures*, air conditioner duct, ventilation stacks, barn, silo, church spire, church belfry, ornamental domes and features, cupola, clock tower, towers and steeples, chimney, elevator penthouse, film or audio tower, flag pole, water storage tank, radio or television antennae or tower, *wind turbine*, windmill, or any similar *structure*;
- ii) Mechanical features, such as *structures* containing the equipment necessary to control an elevator, are permitted to project a maximum of 6.0 m above the highest point of the *roof* surface, regardless of the *height* of the *building*;

- iii) Mechanical floors / penthouses provided they are setback a minimum of 3.0 metres from the exterior walls of the floor beneath it;
- iv) In a Residential Zone, the maximum height of a radio or television tower antenna shall be 13.0m measured from the uppermost point of the tower or antenna to the *established grade* of the ground on which the *structure* is located; and,
- v) Structures or features that are similar to those listed above.

**4.19.5 Encroachments into Required Yards (052-2018)**

Every part of a *required yard* shall be unobstructed except where in accordance with the following provisions:

- i) The following obstructions may project a maximum distance into a required *setback* as follows:

**TABLE 4H**

<b>Structure</b>	<b>Required Setbacks</b>	<b>Maximum Distance</b>
<i>Balconies</i>		
For all dwelling types, excluding Apartment Buildings, Mixed Use Buildings, and Stacked Townhouses with a common underground parking area	<i>Front setback, Exterior Side Setback, Rear Setback</i>	1.5m into a required yard, and where located on top of a porch / veranda shall be provided in accordance with the encroachments for porches / verandas
For Apartment Buildings, Mixed Use Buildings and Stacked Townhouses with a Common Underground Parking Area	<i>Front Setback, Interior Side Setback, Exterior Side Setback, Rear Setback</i>	1.5m into a required yard, and where located on top of a porch / veranda shall be provided in accordance with the encroachments for porches / verandas
<i>Boxed / Bay Windows</i>	<i>Exterior Side Setback, Front Setback or Rear Setback</i>	0.6m out and 3.0m wide
Chimneys	<i>Rear Setback, Exterior Side Setback or interior side Setback (in accordance with provision ii below)</i>	0.45m
Eaves & Gutters	<i>Front Setback, Rear Setback, Interior Side Setback or Exterior Side Setback</i>	0.45m provided that the eaves and gutters are 2.0m above grade
Ornamental Projections	<i>Front Setback, Rear Setback, Interior Side Setback or Exterior Side Setback</i>	0.15m provided that the ornamental projection is 2.0m above grade

<b>Structure</b>	<b>Required Setbacks</b>	<b>Maximum Distance</b>
Permanent Window Awnings	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	1.0m out provided that the awnings are 2.0m above <i>grade</i>
<i>Porches / Verandas</i>	<i>Front Setback, Interior Side Setback, Exterior Side Setback, Rear Setback</i>	Shall encroach no closer than 3.0 m to a <i>rear lot line</i> and 1.0m to any other <i>lot line</i>
Retractable-Drop Canopies & Awnings	<i>Rear Setback</i>	To the extent permitted for a <i>deck</i> between 0.6m - 1.2m in <i>height</i>
<i>Stairs and Landings, Above Grade Accessing A Principal Building</i>	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	<i>Stairs</i> shall be located a minimum of 1.0m from the property line, measured to the first riser, with no part of the landing any closer than 1.5m from the property line.
<i>Stairs, Below Grade Accessing A Principal Building</i>	<i>Rear Setback</i>	No Maximum
Underground Cold Cellars	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	Cold <i>cellars</i> are permitted to encroach as far as the <i>porch / veranda</i> as detailed in Table 4H.
Wheel Chair or Accessible Ramp	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	Within 1.0m of any <i>lot line</i>

- ii) Unless specifically stated above, no encroachment, with the exception of eaves and gutters, shall be permitted within any *side yard* having a width of less than 1.2m.

#### 4.19.6 Daylighting

*Daylighting triangles* or *daylighting radii* shall be required in accordance with the following provisions:

- i) For the purposes of determining *lot frontage*, *lot depth* and *lot area* only, for a *corner lot* with corner *daylight radii* or *daylight triangle*, the *daylight radii* or *daylight triangle* is deemed not to exist;
- ii) Notwithstanding any other provision of this By-law, no encroachment shall be permitted in a *daylight triangle* or *radius* above *grade* including but not limited to *buildings* or *structures*, *fencing*, *stairs*, and *plantings*; and,

- iii) The size of the required *daylighting triangle* or *daylighting radius* shall be in accordance with the following:

**TABLE 4I**

<b>DAYLIGHTING TYPE</b>	<b>CONDITION (Street Type / Street Type)</b>	<b>DAYLIGHTING REQUIREMENTS (m – measurement type)</b>
<b>Street</b>	<i>Laneway / Local</i>	5m – Radius
	<i>Local / Local</i>	5m – Radius
	<i>Local / Collector</i>	7m – Radius
	<i>Local / Arterial</i>	7m – Radius
	<i>Collector / Collector</i>	10m – Radius
	<i>Collector / Arterial</i>	10m – Triangle
	<i>Arterial / Arterial or Major Arterial or Highway</i>	10m – Triangle
<b>Railway</b>	Mainline track crossings with signal lights and/or gates	The <i>railway daylighting triangle</i> shall be 8.0m (minimum) from track along <i>street line</i> , and 275m from <i>street line</i> along track
	Mainline track crossings without signals and/or gates	The <i>railway daylighting triangle</i> shall be 85m from track along <i>street line</i> , and 75m from <i>street line</i> along track
	Spurline track crossings with signals and/or gates	The <i>railway daylighting triangle</i> shall be 8.0m (minimum) from track along <i>street line</i> , and 75m from <i>street line</i> along track.
	Spurline track crossings without signals and/or gates	The <i>railway daylighting triangle</i> shall be 85m from track along <i>street line</i> , and 75m from <i>street line</i> along track.

**4.20 SPECIAL USE PROVISIONS**

Notwithstanding any other provision of this By-law, the following special use provisions shall apply:

#### **4.20.1 Non-Conforming Uses**

No land, *building* or *structure* shall be *used* except in conformity with the provisions of this By-law unless such *use* legally existed prior to the date of passing of this By-law and provided that it continues to be *used* uninterrupted for such purpose, and that such *use*, when originally established, was not contrary to a By-law passed under Section 34 of the Planning Act, R.S.O 1990, cP. 13 or a predecessor thereof that was in force at that time.

#### **4.20.2 Temporary Uses**

Temporary *uses* are permitted in accordance with the following:

##### **4.20.2.1 Temporary Sales / Customer Service Offices**

- i) A temporary *building* or *trailer* for conducting sales of new *dwelling units* is permitted in any *Zone* provided the sales *building* or *trailer* is located within a development site. The sales *building* or *trailer* shall be *setback* 30m from the *lot line* of any existing residential *use* and *parking areas* associated with the sales *building* or *trailer* shall be *setback* 6m from any existing residential *use* abutting the development site, and;
- ii) Notwithstanding the provisions of Section 5.1, *parking areas* for temporary sales and customer service *offices* may have a granular surface.

##### **4.20.2.2 Temporary Construction Office or *Building* Equipment**

- i) A temporary construction camp and/or *office*, tool shed, scaffold or other such *building* or other such temporary facility which is incidental to construction and provided it is located on the site where such work is underway and provided that it shall be removed from the site within 60 days of completing the work, and;
- ii) Notwithstanding the provisions of Section 5.1, *parking areas* for temporary construction *offices* may have a granular surface.

##### **4.20.2.3 Model Homes**

Where a *model home* is erected, constructed and/or used for the purpose of temporary sales, or an example of a *dwelling* type for sale, more than one *model home* is permitted on a *lot* in a draft-approved plan of subdivision.

##### **4.20.2.4 Portable Asphalt Plants**

A *portable asphalt plant* is permitted in any *Zone* with the exception of a Natural Heritage *Zone*, and shall be dismantled at the completion of the construction project.

#### 4.20.2.5 Temporary Wayside Pit or Wayside Quarry

A *wayside pit* or *wayside quarry* is permitted in any *Zone* with the exception of the Natural Heritage *Zone* and in no case shall a *wayside pit* or *wayside quarry* be located closer than 150m to a *dwelling unit* on another *lot*.

#### 4.20.2.6 Temporary Sales and Entertainment Events

Temporary Sales and Entertainment Events shall be permitted in all Commercial *Zones* and in the Employment *Zone* only, in accordance with the Town of Milton Licensing By-law.

#### 4.20.2.7 Temporary Shipping Containers

- i) Notwithstanding any other provision of this By-law, a *shipping container* is permitted in the driveway of a residential property for the purpose of the temporary *loading* or unloading of household items during the process of moving and for a period not exceeding five (5) days provided it does not exceed a maximum *height* of 3.0 m and a maximum length of 6.1m. However, in no case shall a *shipping container* encroach onto a public sidewalk; be located closer than 0.3 m from the back of curb in situations where no sidewalk exists; or, create a site line obstruction; and,
- ii) Notwithstanding any other provision of this By-law, a *shipping container* is permitted on a construction site in any *Zone* being developed on a stand alone basis or under a plan of subdivision for the purposes of temporary storage of equipment and materials incidental to construction only, and subject to the following restrictions:
  - a) shall not exceed a *height* of 3.0m and a length of 16.76m;
  - b) not to exceed six (6) in number;
  - c) shall be removed from the site within 60 days of completing the work;

#### 4.20.3 Clothing Donation Boxes

A clothing donation box for a bona fide non-profit charitable organization may be located in a commercial *zone* provided that:

- i) The donation box shall not be located in a required landscape buffer or required parking or loading space;
- ii) The donation box shall not exceed 4.0 sq. m in area or 2.15 m in *height* above *grade*;
- iii) The donation box shall not obstruct a pedestrian walkway, and;
- iv) The donation box shall not create a visual obstruction for a *driveway* entrance or exit.



#### 4.20.4 Public Uses

- i) The provisions of this By-law shall not apply to prevent the *use* of any land, *building* or *structure* by any *public authority* provided such *use, building* or *structure* complies with one of the following:
  - a) Such *use, building* or *structure* complies with all provisions of the applicable *Zone* in which it is located, or;
  - b) *Lots* less than 3.0ha shall comply with all the provisions of the I-A (Institutional Minor) *Zone*, excluding minimum height and *lot frontage* requirements; and,
  - c) *Lots* 3.0ha or greater shall comply with all the provisions of the I-B (Institutional Major) *Zone*, excluding the minimum *lot frontage* requirement.
- ii) Notwithstanding the above, a publicly funded elementary *School* or *Emergency Service Facility* on any I-A zoned *lot* less than 4.0ha in area shall comply with the I-A *Zone* provisions contained in this By-law, excluding the maximum *height* and minimum *lot frontage* requirements;
- iii) Notwithstanding any provision to the contrary, any *use* is permitted in any *Zone* by a *public authority*, in partnership with, or on behalf of a public authority excluding the Natural Heritage System *Zone* unless the applicable *Conservation Authority* has deemed the *use* or development appropriate;
- iv) Such *use, building* or *structure* shall comply with all the provisions of Section 4 and 5 of this By-Law;
- v) Notwithstanding Subsection iv), *buildings* and *structures* which are *used* for the storage of road maintenance materials within a public works *yard* owned by a *public authority* are exempt from the *height* requirements of this By-law,
- vi) *Accessory Outdoor Storage* may be permitted, except where the property abuts a Residential *Zone*; and;
- vii) Nothing in this By-law shall prevent a *public authority* from providing or using land as a street nor prevent the installation of a utility main including a water main, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, telecommunications or other *utility* supply or communication line.

**4.20.5 Utilities**

- i) Notwithstanding any other provision of this By-law, facilities for the supply of utilities or servicing infrastructure are permitted in any *yard* and within any *zone* in accordance with the following:

**TABLE 4J**

<b>Utility Buildings or Structures</b>		
<b>Zone</b>	<b>Location</b>	
	<i>Floor Area Less than 10m<sup>2</sup></i>	<i>Floor Area 10m<sup>2</sup> or greater (*1)</i>
Residential Zones	Permitted anywhere on a <i>lot</i>	Shall be <i>setback</i> a minimum 1.2m from any <i>lot line</i>
Non-Residential Zones, excluding the Natural Heritage System Zone	Permitted anywhere on a <i>lot</i>	Shall be <i>setback</i> a minimum 2.5m from any <i>lot line</i>

Footnote to TABLE 4J

(\*1) No maximum *floor area* shall apply to any utility *building* or *structure*.

- ii) Notwithstanding the above noted provisions, all above ground *structures* that have an *area* of 10 m<sup>2</sup> or greater shall not be located in an NHS Zone.
- iii) *Buildings* or *structures* for the provisions of utilities shall be exempt from the *parking* and *loading* requirements contained in this By-law. In no case however, shall existing spaces be removed or otherwise occupied.

**4.20.6 Trail Corridors**

Notwithstanding the *uses* or provisions contained within this By-law, trail corridors established through any Plan approved by the Town, *Conservation Authority*, the Region of Halton, or the Niagara Escarpment Commission shall be permitted in any *Zone* and may include shelters, signage, hard surface pathways and lighting.

**4.21 SPECIAL LOT PROVISIONS**

Notwithstanding any other provision of this By-Law, the following special *lot* provisions shall apply:

**4.21.1 Non-Complying Lots**

**4.21.1.1 Non-complying Lots (089-2022)**

A *lot* in existence prior to the effective date of this By-law, or capable of being legally conveyed in accordance with the Planning Act, that does not meet the *lot area*, *lot depth*, *lot frontage*, minimum *lot density* (FSI) and/or maximum surface *parking area* on a lot

requirements of the applicable *Zone*, may be used and *buildings* thereon may be erected, enlarged, repaired or renovated provided the *use* conforms with the By-law and the *buildings* or *structure* comply with all of the other provisions of this By-law.

#### **4.21.1.2 Non-compliance as a Result of Expropriation**

Where, as a result of the acquisition of part of a *lot* by a *public authority*, the *lot*, after the acquisition, is a *non-complying lot*, such *non-complying lot* may be used for any purpose permitted by this By-law within the *Zone* in which the *lot* is located.

#### **4.21.2 Multiple Zones on One Lot**

Where a *lot* is divided into more than one *Zone*, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *Zone*.

#### **4.21.3 Through Lots**

Where a *lot*, which is not a *corner lot*, abuts a *street line* on more than one side, the minimum *front yard setback* of the *Zone* shall apply to all street lines and *lot* depth requirements of the *Zone* shall apply.

#### **4.21.4 Landscaped Open Space and Landscape Buffers**

Where *landscaped open space* and/or a *landscape buffer* is required, the following provisions shall apply:

- i) Notwithstanding any other provision of this By-law, a *driveway* or other access including a private rail spur line is permitted to extend through the *landscape open space* and *landscape buffers* for the width of such required *driveway* or other access;
- ii) Notwithstanding the minimum *landscaped open space* requirements to the contrary, where development proceeds on the basis of individual development envelopes on a portion of the *Zone* or *lot*, the minimum *landscaped open space* required may be calculated on the basis of the area of each individual development envelope rather than on the basis of the *area* of the entire *lot*; and,
- iii) Notwithstanding any other provision of this By-law, *landscaped buffers* requirements shall be provided outside of any easement or *setback* required by the Ministry of Transportation (MTO).

#### **4.22 SPECIAL SETBACKS**

Notwithstanding any other provisions in this By-law, the following special *setbacks* shall apply:

#### **4.22.1 Setbacks from a Natural Gas Distribution System**

Notwithstanding all other provisions and standards of this By-law, no permanent *building* or *structure* may be located within 7.0 metres of any natural gas transmission pipeline right-of-way. *Accessory structures* shall have a minimum *setback* of at least 3.0 metres from the limit of the right-of-way. No *building* or *structure* is permitted within 3 metres of the right-of-way.

#### **4.22.2 Setbacks from a Provincial Highway Right-of-Way**

All *lands, buildings* and *structures* located within a controlled Provincial Highway Right-of-way *area* as determined by the Ministry of Transportation of Ontario (MTO) shall be subject to all regulations of the MTO under the authority of the Transportation and Highway Improvement Act, and any other applicable Act, and where required shall obtain a *building* and *land use* permit for the *use, erection, construction, or alteration* of any *land, building* or *structure*.

#### **4.22.3 Setbacks from a Railway Right-of-Way**

- i) No portion of any *building* or *structure* containing residential, commercial, institutional, employment and business park *uses* shall be located closer than 30m from any railway right-of-way;
- ii) Notwithstanding the above provisions, railway right-of-way *setbacks* shall not apply to industrial spur lines not owned by the railway, and;
- iii) No portion of any *building* or *structure* containing *industrial uses* and *warehouse/distribution uses* shall be located closer than 15m to a railway right-of-way.

#### **4.22.4 Setbacks from an MX Zone**

- i) New residential *land uses* shall be located no closer than 500m from an *MX Zone*;
- ii) Notwithstanding the above, the *setback* does not apply to *lots* that existed on October 20, 2003.

#### **4.23 DOG DAYCARES (38-2019)**

Where a dog daycare is permitted, the following provisions apply:

- i) The dog daycare shall not be permitted in a residential mixed use building.
- ii) Outdoor play areas shall not be permitted adjacent to a residential zone.
- iii) Accessory grooming and retail shall be limited to 5% of the gross floor area.
- iv) Waste shall be contained within an enclosed structure.

**4.24 SHORT-TERM RENTAL (056-2022)**

A *short-term rental* is permitted in accordance with the following:

- i) A *short-term rental* shall be permitted in any *dwelling unit* permitted by this by-law.
- ii) A minimum of 1 *parking space* per *short-term rental* is provided in addition to the required parking for the main *dwelling unit*.

## **SECTION 5 PARKING & LOADING PROVISIONS**

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### **5.1 GENERAL PARKING AND LOADING REQUIREMENTS**

- i) Off-street vehicular *parking* and *loading* shall be provided in accordance with the standards of this By-law for any *use*;
- ii) Required *parking* and *loading* shall be located on the same *lot* as the *building* or *use* for which it is required, unless otherwise specified by this By-law;
- iii) All *parking areas* and *parking spaces* shall be provided direct access from an improved and maintained *public or private street* by an unobstructed *driveway* in accordance with the provisions contained in this By-law;
- iv) Individual *parking spaces* must be arranged so that each space has access to and from an improved and maintained *public or private street* unobstructed by any other *parking space*. This provision does not apply to any *dwelling* containing less than four (4) *dwelling* units;
- v) All required *parking* and *loading* must be unobstructed, available and used exclusively for no other purpose than that required by this By-law;
- vi) All *motor vehicles* must be able to enter and leave the property in a forward motion. This provision does not apply to any *dwelling* containing less than four (4) *dwelling* units;
- vii) No part of any *parking space* or *loading space/area* shall obstruct vehicular movement;
- viii) *Parking spaces* provided on any *lot* in excess of the minimum required for a *building* or *use* shall meet the minimum required *parking space* size requirement of this By-law;
- ix) *Loading space* and *loading area* requirements must be provided outside of a *building* and shall not be included in the total required *parking* calculation for the *use* or *lot*;
- x) All *parking areas* must be surface treated with asphalt, concrete, concrete pavers or similar material, save and except the following:

**TABLE 5A**

<b>ZONES</b>	<b>SURFACE TREATMENT EXEMPTION</b>
M2 Zone	<i>Rear Yard Only</i>
Open Space Zone	All yards of <i>Public Parks</i> 2.0 ha or greater, excluding a minimum 15.0m <i>driveway</i> apron, and provided the <i>parking area</i> is <i>setback</i> a minimum 50.0m from any Residential Zone or Use.

and,

- xi) In addition to the provisions as set out above, for *single detached, semi detached and townhouse dwellings* with individual *residential driveway* access from a *street*, no person shall use any area of the *lot*, other than an *attached or detached garage, or driveway* for the purposes of off-street vehicular *parking*.

**5.2 CALCULATION OF PARKING REQUIREMENTS**

- i) Where the minimum number of *parking spaces* are calculated on the basis of a rate or ratio, the required number of spaces shall be rounded to the next highest whole number.
- ii) For the purposes of calculating required *parking*, the *Gross Floor Area* shall not include any area intended, designed or used exclusively for the *parking* of a *motor vehicle* and minus 10%.

**5.3 MORE THAN ONE USE ON A LOT**

The *parking* requirements for more than one *use* on a single *lot* or for a *building* containing more than one *use*, shall be the sum total of the *parking* requirements for each of the component *uses*, unless otherwise noted.

**5.4 ADDITIONS TO BUILDINGS**

- i) The *parking* and *loading space* requirements of this By-law shall not apply to any *building* in existence at the date of passing of this By-law so long as the *gross floor area*, as it existed at such date, is not increased nor the *building* or *structure* is used for a purpose that requires more *parking spaces*;
- ii) If an addition is made to the *building* that increases the *gross floor area*, additional *parking* and *loading spaces* shall be provided for the additional *gross floor area* as required by the regulations of this By-law;
- iii) Notwithstanding ii) above, where an addition is proposed for a single unit *industrial use*, the existing *floor area* shall be used in the calculation of requirements.

**5.5 PARKING IN THE CENTRAL BUSINESS DISTRICT (095-2017)(089-2022)**

- i) Every *building* or *structure* erected or enlarged in the Central Business District area shall comply with the *parking* provisions of this By-law;
- ii) In no case shall existing required parking be removed or otherwise occupied within the Cash-in-lieu Parking Policy Area as shown on Schedule B of this By-law;
- iii) Notwithstanding i) and ii) above, any *building* containing a permitted principal non-residential *use(s)* within the ‘Cash-in-lieu Parking Policy Area’ as shown on Schedule B or Schedule B1 to this By-law may provide payment to the satisfaction of the Town for cash-in-lieu of required *parking* for the non-residential *use(s)* only;
- iv) Permitted non-residential uses, with the exception of a *hotel* or a *theatre*, within the existing gross floor area as it existed on September 25, 2017 that are within the “Parking Policy Area” as shown on Schedule C to this By-law shall be exempt from providing any additional parking.
- v) Notwithstanding iv) above, any required *parking spaces* removed as a result of an enlargement or addition(s) to an existing *building* will require payment in cash-in-lieu of parking for the removed *parking spaces*.

**5.5.1 Parking in the Central Business District UGC-MU and UGC-MU2 Zones (089-2022)**

- i) A surface *parking area* at grade is not permitted to occupy more than 20% of the *lot* area;
- ii) Visitor *parking* associated with a residential *use*, and client *parking* associated with a permitted non-residential *use*, may be provided in any combination of a *parking* structure and a *parking area* and may be used for any combination of residential and permitted non-residential *uses*;
- iii) No part of a *parking area* or *parking* structure is permitted within a *front yard* or an *exterior side yard*;
- iv) Notwithstanding Section 5.1 iv), a parking stacker system shall be permitted in a *parking* structure and required *parking* may be provided by means of a parking stacker system. When *parking* is provided by means of a parking stacker system, the minimum *parking* stall size shall be 2.75 metres in width and 5.8 metres in length (mechanisms and equipment associated with the parking stacker are permitted within the minimum *parking* stall dimensions), except that the lower *parking* stall and the elevated platform above such *parking space* may have dimensions of not less than 2.4 metres by 5.0 metres unobstructed;
- v) Notwithstanding Section 5.1 ix), *loading spaces* and/or areas may be provided inside of a *building*;



- vi) Notwithstanding Section 5.14, a *parking* structure that projects above *established grade* is not permitted within the first 9.0 metres of the depth of the *building* measured horizontally from the *main wall* facing a *street*, and the first 4.5 metres of *height* of the *building* measured vertically from the top of the floor of the *first storey* to the top of the floor of the second *storey* within that depth.

**5.6 REQUIREMENTS FOR DRIVEWAY ACCESS TO A PARKING AREA OR PARKING SPACE**

**5.6.1 Driveway Access to a Parking Area**

- i) Access to a *parking area* from a *street* shall be provided by an unobstructed *driveway*; and
- ii) Driveway widths accessing a *parking area* shall be provided in accordance with the following:

**TABLE 5B**

TYPE	DRIVEWAY WIDTH	
	Minimum	Maximum (*1)
One-way <i>Driveway</i>	3.5m	9.0m
Two-way <i>Driveway</i>	6.0m	15.0m

Footnote to Table 5B

(\*1) Notwithstanding the above, maximum *driveway* widths apply to the ingress and egress points of the *driveway* only.

**5.6.2 Driveway Access to a Residential Dwelling (113-2017)(38-2019)(077-2021)(007-2022)**

Access to residential *dwellings* containing less than four units shall be provided by an unobstructed *driveway* in accordance with the following:

- i) The minimum size of a required *parking space* on a *Residential Driveway* shall be 2.75m wide by 5.5m in length;
- ii) Parking in the RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7, RMD1 and RMD2 *Zones* is permitted in all *yards*;
- iii) Notwithstanding provision ii) above, no *parking space* on a corner lot shall be located closer than 6.0m measured from the point of intersection of the two street lines;
- iv) Unobstructed *Residential Driveway* widths shall be provided in accordance with the following provisions:
  - a) for *lots* within the RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7, RMD1, and RMD2 *Zones*, the minimum individual *Residential Driveway* width shall be 3.2m;

- b) for *lots* within the RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7, RMD1 and RMD2 *Zones* with adjoining *Residential Driveways* on *abutting* properties, the minimum width may be reduced to 3.1m each, with a minimum combined width of 6.2m;
- c) For plans of subdivision registered on or prior to December 31, 2005, the minimum *Residential Driveway* width shall be 2.75m;
- d) No person shall permit a *Residential Driveway* exceeding a width of:
  - A) 3.2m for *lots* having a *frontage* of less than or equal to 6.5m;
  - B) 4.0m for *lots* having a *frontage* greater than 6.5m and less than or equal to 8.0m;
  - C) 5.0m for *lots* having a *frontage* greater than 8.0m and less than or equal to 9.0m;
  - D) 6.0m for *lots* having a *frontage* greater than 9m and less than or equal to 11.5m;
  - E) 8.0m for *lots* having a *frontage* greater than 11.5m; and,
  - F) Notwithstanding the above, a *Residential Driveway* leading to 3 (or more) car garage shall not exceed the width of the *garage face*;
- v) Notwithstanding the above, a *Residential Driveway* leading to 3 (or more) car *garage* shall not exceed the width of the *garage face*;
- vi) No *Residential Driveway* shall extend into the *rear yard* except where the *Residential Driveway* leads to a *detached garage* or *carport* located in the *rear yard*;
- vii) No *Residential Driveway* shall encroach into a required *interior side yard* except where the *Residential Driveway* leads to a *detached garage* or *carport* located in the *rear yard*;
- viii) The following surface areas of a *lot* shall only be a permeable Residential *landscaped* surface such as grass, trees, shrubs, flowers or other plants, river rock, decorative stone, etc.that permits the infiltration of water into the ground, but may include a portion of a retaining *wall* that is not permeable:
  - a) an area at a minimum width of 0.6m abutting both side lot lines on interior lots of detached dwellings (or the rear lot line on corner lots of detached dwellings where the driveway accesses over the exterior lot line), except within 3.0m of the front lot line for those lots where the side lot lines converge towards the front of the street, in which case less than 0.6m may be provided; and,

- b) an area at a minimum width of 0.6m *abutting one side lot line on lots of semi-detached and townhouse dwellings, except within 3.0m of the front lot line and within the road right-of-way for those lots where the side lot lines converge towards the street in which case less than 0.6m may be provided;*
- ix) No person shall drive and/or park *motor vehicles on or over residential landscaping area*
- x) On lots that contain an attached or detached garage or carport, all parking spaces shall be oriented towards the face of the attached or detached garage or carport and not more than 45 degree off-set of the garage face or front of the carport.

**5.7 SIZE REQUIREMENTS OF OFF-STREET AISLES**

Access to *parking and loading spaces* shall be provided by an adjacent aisle in accordance with the following:

**TABLE 5C**

TYPE	AISLE WIDTH	
	Minimum	Maximum
One-way Aisle	6.0 m (*1)	N / A
Two-way Aisle	6.0m	N / A

Footnote(s) to TABLE 5C

(\*1) The minimum width of the adjacent aisle providing access to a *parking space* within a *parking area* shall be 6.0 m, except in the case of angled off-street parking accessed by a one-way aisle, which shall be a minimum width of 4.5 m.

**5.8 SIZE REQUIREMENTS OF OFF-STREET PARKING, LOADING OR QUEUING SPACES AND BICYCLE PARKING (089-2022)**

- i) The minimum size requirements of off-street *parking, loading or queuing spaces and bicycle parking* shall be provided in accordance with the following:

**TABLE 5D**

Type	REQUIRED DIMENSIONS		
	Minimum Length	Minimum Width	Minimum Vertical Clearance
Angle - <i>Parking Space</i>	6.5m	2.75m	N/A
Parallel - <i>Parking Space</i>	6.5m	2.75m	N/A
Perpendicular - <i>Parking Space</i>	5.8m	2.75m	N/A
Accessible- <i>Parking Space</i>	Type A	5.8m	3.4m (*1)
	Type B	5.8m	2.75m (*1)
<i>Loading Space</i>	12.0m	3.5m	4.2m
<i>Loading Area</i>	6.0m	3.5m	3.0m

Type	REQUIRED DIMENSIONS		
	Minimum Length	Minimum Width	Minimum Vertical Clearance
Queuing Space	6.0 m	3.0	N/A
Bicycle - <i>Parking Space</i> (Horizontal)	1.8m	0.6m	1.9 m
Bicycle – <i>Parking Space</i> (Vertical) (*2)	1.2m	0.4m	1.9m

Footnote(s) to TABLE 5D

(\*1) An accessible aisle must be provided adjacent to an *accessible parking space* with a minimum width of 1.5m and length of 5.8m. Adjacent *accessible parking spaces* may share one access aisle.

(\*2) A long term bicycle parking space placed in a vertical position on a wall, structure or mechanical device.

**5.8.1 Residential *Parking Requirements* (113-2017)(058-2019)(056-2022)(089-2022)**

i) The minimum required off-street *parking* for residential *uses* are as follows:

**TABLE 5E**

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Dwellings with individual driveway access from a public street</i>	<ul style="list-style-type: none"> <li>2 <i>parking spaces per dwelling unit</i></li> </ul>
<i>Apartment Buildings</i>	<ul style="list-style-type: none"> <li>1.5 <i>parking spaces per unit</i> <u>PLUS</u></li> <li>0.25 <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>.</li> </ul>
UGC-MU <i>Apartment Buildings (*1)</i>	<ul style="list-style-type: none"> <li>1 <i>parking space per dwelling unit</i> <u>PLUS</u></li> <li>0.20 <i>parking spaces per dwelling unit</i> for visitor parking in a designated visitor <i>parking area</i></li> </ul>
Upper-Floor <i>Dwelling Units</i>	<ul style="list-style-type: none"> <li>1 <i>parking space per dwelling unit</i></li> </ul>
<i>Accessory Dwelling Units</i>	<ul style="list-style-type: none"> <li>1 <i>parking space per accessory dwelling unit</i></li> </ul>
All other <i>dwellings units</i>	<ul style="list-style-type: none"> <li>2 <i>parking spaces per dwelling unit</i> <u>PLUS</u></li> <li>0.25 <i>parking spaces per unit</i> for visitors on a <i>lot</i> with four or more <i>dwelling units</i></li> </ul>

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Bed and Breakfast Establishments</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> for each room or suite used for the purposes of lodging for the traveling public, in addition to the required parking for the <i>dwelling unit</i></li> </ul>
<i>Shared Housing</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> for each staff member per working shift in addition to the required parking for the <i>dwelling unit type</i></li> </ul>
<i>Home occupation</i>	<ul style="list-style-type: none"> <li>Home occupations that have customers, clients or patients attending the dwelling, shall provide one (1) parking space in addition to the required parking for the residential use.</li> </ul>
<i>Cottage Industry / Home Industry</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> for each employee in addition to the parking requirements for the residential or other principal use.</li> </ul>
<i>Private Home Daycare</i>	<ul style="list-style-type: none"> <li>No requirement</li> </ul>
<i>Long-Term Care Facility</i>	<ul style="list-style-type: none"> <li>0.33 <i>parking spaces</i> per bed</li> </ul>
<i>Dwelling, Retirement</i>	<ul style="list-style-type: none"> <li>0.5 <i>parking spaces</i> per bed</li> </ul>
<i>Short-Term Rental</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> per <i>short-term rental</i> in addition to the required parking for the main <i>dwelling unit</i>.</li> </ul>

Footnote(s) to TABLE 5E

(\*1) For lands within the UGC-MU designation shown to contain a star symbol followed by a number on schedules to this By-law, the special parking provisions in Section 13.1.1 of this By-Law shall only apply where the required parking rate is less than the parking requirements in Table 5E.

**5.8.2 Non-Residential *Parking Requirements* (113-2017) (052-2018)**

- i) The minimum off-street parking requirements for the following non-residential *zones* shall be provided as follows:

**TABLE 5F (102-2015)(089-2022)**

Zones	Minimum Off-Street <i>Parking Requirements</i>
C2, C3, C6, MC	<ul style="list-style-type: none"> <li>1 <i>parking space</i> per 20m<sup>2</sup> of <i>gross floor area</i></li> </ul>

<b>Zones</b>	<b>Minimum Off-Street <i>Parking</i> Requirements</b>
<p>UGC-MU and UGC-MU-2</p> <p>(applicable to buildings and the gross floor area contained therein as they legally existed on December 14, 2015 only)</p>	<ul style="list-style-type: none"> <li>• 1 parking space per 40 m<sup>2</sup> of gross floor area, except for the following uses and circumstances:                             <ul style="list-style-type: none"> <li>- Banquet Facility;</li> <li>- Hotel;</li> <li>- Night Club;</li> <li>- Place of Entertainment;</li> <li>- Place of Worship;</li> <li>- Theatre; and,</li> <li>- Buildings for which site specific parking provisions are already contained in this By-law</li> </ul> </li> </ul>
<p>MU (*2)</p> <p><i>Mixed Use Buildings</i></p>	<ul style="list-style-type: none"> <li>• 1.25 <i>parking spaces per dwelling unit PLUS</i></li> <li>• The greater of 0.25 <i>parking spaces per residential dwelling unit</i> for visitor parking or 1 parking space per 25 m<sup>2</sup> of <i>gross floor area</i> for the non-residential component in a <i>mixed use building</i></li> </ul>
<p>UGC-MU</p> <p><i>Mixed Use Buildings</i> (*1) (*2)</p>	<ul style="list-style-type: none"> <li>• 0.8 <i>parking spaces per dwelling unit PLUS</i></li> <li>• The greater of 0.2 <i>parking spaces per dwelling unit</i> for visitor parking or 1 <i>parking space per 30 m<sup>2</sup> of gross floor area</i> for permitted non-residential uses in a <i>mixed use building</i></li> </ul>

Footnote(s) to TABLE 5F

(\*1) For lands within the UGC-MU designation shown to contain a star symbol followed by a number, on schedules to this By-law, the special *parking* provisions in Section 13.1.1 of this By-Law shall only apply where the required *parking* rate is less than the *parking* requirements in Table 5F.

(\*2) The *parking* rate for *mixed use buildings* shall apply to all *dwelling units* in *buildings* sharing a mutual *podium*.

ii) For all other *zones*, the minimum off-street parking requirements for any non-residential *use* shall be provided as follows:

**TABLE 5G (38-2019)**

<b>Type or Nature of Use</b>	<b>Minimum Off-Street <i>Parking</i> Requirements</b>
<i>Adult Entertainment Parlour</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 5m<sup>2</sup> of <i>gross floor area</i></li> </ul>
<i>Adult Video Store, Adult Specialty Store, Body Rub Parlour</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 20m<sup>2</sup> of <i>gross floor area</i></li> </ul>
Agricultural Use, Boarding Kennel	<ul style="list-style-type: none"> <li>• No minimum requirement</li> </ul>

Type or Nature of Use	Minimum Off-Street <i>Parking Requirements</i>
Ambulance Station, Fire Station	<ul style="list-style-type: none"> <li>• 4 <i>parking spaces</i> per Bay or Emergency Vehicle, whichever is greater, in addition to the required parking for the <i>office use</i></li> </ul>
Bank	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 20m<sup>2</sup> of <i>gross floor area</i></li> </ul>
Banquet Facility	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 5m<sup>2</sup> of <i>gross floor area</i> <u>PLUS</u></li> <li>• 1 <i>parking space</i> per 18m<sup>2</sup> of <i>patio area</i></li> </ul>
Commercial Storage Facilities	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 5m<sup>2</sup> of <i>gross floor area</i> within the <i>office</i>; <u>PLUS</u></li> <li>• 1 <i>parking space</i> per 100m<sup>2</sup> of <i>gross floor area</i> of the <i>building</i> except where the <i>driveway</i> accessing the storage units has a minimum width of 7.0m in which case no additional parking shall be required</li> </ul>
Day Care Centre	<ul style="list-style-type: none"> <li>• 1.5 <i>parking spaces</i> per classroom; <u>PLUS</u></li> <li>• 1 space per 30m<sup>2</sup> of <i>gross floor area</i></li> </ul> <p>Notwithstanding the requirements above, where a before and/or after school <i>Day Care Centre</i> program is located within an Elementary school, no additional parking shall be required.</p>
Food Bank	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 30m<sup>2</sup> of <i>gross floor area</i> for the <i>office use</i></li> </ul> <p>Any additional <i>gross floor area</i> shall be calculated in addition to the above provision and provided in accordance with the following rates:</p> <ul style="list-style-type: none"> <li>• 0 to 5000m<sup>2</sup> shall provide 1 <i>parking space</i> per 100m<sup>2</sup> of <i>gross floor area</i>.</li> <li>• For <i>gross floor areas</i> in excess of 5000m<sup>2</sup> shall provide 1 <i>parking space</i> per 200m<sup>2</sup> of <i>gross floor area</i>.</li> </ul>
Funeral home	<ul style="list-style-type: none"> <li>• 30 <i>parking spaces</i> for the first 93m<sup>2</sup> of <i>gross floor area</i>; <u>PLUS</u></li> <li>• 1 additional <i>parking space</i> for each additional 20m<sup>2</sup> of <i>gross floor area</i></li> </ul>

Type or Nature of Use	Minimum Off-Street <i>Parking Requirements</i>
<i>Hospital, Private or Public</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking spaces</i> per 40m<sup>2</sup> <i>gross floor area</i></li> </ul>
<i>Hotel, Motel</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per guest room; <u>PLUS</u></li> <li>• 1 <i>parking space</i> per 10m<sup>2</sup> of <i>gross floor area</i> for <i>accessory services</i> devoted to <i>public use</i>, excluding hallways and washrooms</li> </ul>
<i>Industrial, Cannabis Production and Processing Facility</i>	<p>Parking is calculated for each individual <i>Cannabis Production and Processing Facility</i>, industrial and warehouse/distribution premises, including accessory office space, as follows:</p> <p>For the first 1000 m<sup>2</sup>, 1 <i>parking space</i> per 30m<sup>2</sup> of <i>gross floor area</i> shall be provided.</p> <p>Any additional <i>gross floor area</i> shall be calculated in addition to the above provision and provided in accordance with the following rates:</p> <ul style="list-style-type: none"> <li>• For <i>gross floor areas</i> between 1001m<sup>2</sup> to 5000m<sup>2</sup> shall provide 1 <i>parking space</i> per 100m<sup>2</sup> of <i>gross floor area</i>.</li> <li>• <i>Gross floor areas</i> greater than 5000m<sup>2</sup> shall provide 1 <i>parking space</i> per 200m<sup>2</sup> of <i>gross floor area</i>.</li> </ul> <p>Notwithstanding any provisions of the By-law to the contrary, accessory retail uses associated with the industrial or warehouse/ distribution use shall be included within the above noted calculations provided that the retail area does not exceed the lesser of 5% or 232.2 m<sup>2</sup> of the total gross floor area.</p>
<i>Library</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking spaces</i> per 35m<sup>2</sup> of <i>gross floor area</i></li> </ul>
<i>Medical clinic</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking spaces</i> per 17m<sup>2</sup> <i>gross floor area</i></li> </ul>
<i>Motor vehicle body shop, Motor vehicle repair garage</i>	<ul style="list-style-type: none"> <li>• 3 <i>parking spaces</i> per service bay</li> </ul>
<i>Motor vehicle gas bar or Motor vehicle service station</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> for every 45m<sup>2</sup> of <i>floor space</i> dedicated to <i>accessory retail sales</i></li> </ul>



Type or Nature of Use	Minimum Off-Street <i>Parking Requirements</i>
<i>Night Club</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 5 m<sup>2</sup> of <i>gross floor area</i> <u>PLUS</u></li> <li>• 1 <i>parking space</i> per 18 m<sup>2</sup> of <i>patio area</i></li> </ul>
<i>Offices</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 30 m<sup>2</sup> of <i>gross floor area</i></li> </ul>
<i>Place of assembly</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 9 m<sup>2</sup> of <i>gross floor area</i></li> </ul>
<i>Place of entertainment</i> Indoor Playgrounds All Other Entertainment Uses	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 20 m<sup>2</sup> of <i>gross floor area</i></li> <li>• 1 <i>parking space</i> per 9 m<sup>2</sup> of <i>gross floor area</i></li> </ul>
<i>Place of worship</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 5.5m<sup>2</sup> of <i>gross floor area</i> in the nave <u>PLUS</u></li> <li>• 1 <i>spaces</i> per 11m<sup>2</sup> of <i>gross floor area</i> for a public hall, <i>banquet hall</i> or community/multi-use hall if permitted and associated with or on the same site as the <i>Place of Worship</i>.</li> </ul>
Police Station	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per 20 m<sup>2</sup>,</li> </ul>
<i>Recreation &amp; Athletic Facilities, Public Parks</i>	<ul style="list-style-type: none"> <li>• 15 <i>parking spaces</i> for general park visitors; <u>PLUS</u></li> <li>• 1 <i>parking space</i> per 30m<sup>2</sup> <i>gross floor area</i> for all buildings, structures and pavilions;                             <ul style="list-style-type: none"> <li>• 30 <i>parking spaces</i> per baseball field;</li> <li>• 30 <i>parking spaces</i> per soccer field;</li> <li>• 4 <i>parking spaces</i> per tennis court</li> </ul> </li> </ul> <p>Notwithstanding the requirements above, where a <i>Public Park</i> is 2.0ha or less in area no off-street parking is required</p> <p>Notwithstanding the requirements above, where any sports field or tennis court located within a <i>Public Park</i> having an area greater than 2.0ha and at least one lot line abutting a school property, no additional parking is required within the <i>Public Park</i> provided that the required <i>parking</i> for the school has direct access to the sports field or tennis court.</p>

Type or Nature of Use	Minimum Off-Street <i>Parking</i> Requirements
<i>Restaurant and Restaurant, Take Out</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> per 9m<sup>2</sup> of gross floor area <u>PLUS</u></li> <li>1 <i>parking space</i> per 18m<sup>2</sup> of patio area</li> </ul>
<i>Retail store</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> per 20m<sup>2</sup> of gross floor area</li> </ul>
<i>School</i>  Elementary School Secondary School All Other Schools  Before and After School Programs	<ul style="list-style-type: none"> <li>2 <i>parking spaces</i> per class room;</li> <li>4 <i>parking spaces</i> per class room;</li> <li>5 <i>parking spaces</i> per class room</li> </ul> For Before and After School Daycare programs, refer to the parking requirements under “ <i>Day Care Centre</i> ”.
<i>Service and repair shop</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> per 20m<sup>2</sup> of gross floor area</li> </ul>
<i>Social Services Establishment</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> per 30m<sup>2</sup> of gross floor area</li> </ul>
<i>Uses permitted by this By-law other than those listed in this Table</i>	<ul style="list-style-type: none"> <li>1 <i>parking space</i> per 30m<sup>2</sup> of gross floor area</li> </ul>

**5.9 ACCESSIBLE *PARKING* REQUIREMENTS (38-2019)**

Designated accessible *parking spaces* for persons with a disability shall be provided in accordance with the provisions of this By-law and the Highway Traffic Act.

- i) The minimum required accessible *parking spaces* for persons with a disability shall be provided in accordance with the following:

**TABLE 5H**

No. of Required <i>Parking Spaces</i>	No. of Designated Accessible <i>Spaces</i>
1 to 12	1 Type A
13 to 100	4% (*1)
101 to 200	1 accessible parking space <u>PLUS</u> 3% (*1)
201 to 1000	2 accessible parking spaces <u>PLUS</u> 2% (*1)
More than 1000 spaces	11 accessible parking spaces <u>PLUS</u> 1% (*1)

Footnotes to Table 5H

(\*1) Where the minimum number of accessible *parking spaces* required is even, an equal number of Type A and Type B accessible *parking spaces* shall be provided. Where the minimum number of accessible *parking spaces* is odd, an equal number of Type A and Type B accessible *parking spaces* shall be provided but the last accessible *parking space* may be a Type B.

- ii) The total number of accessible *parking spaces* shall be included within the total required *parking* calculation for the *lot* or *use* and shall be rounded up to the nearest whole number;
- iii) Where required parking on a lot is calculated separately for a residential component, a visitor component, and/or a non-residential component and the parking is provided in a common parking area, the accessible parking required by this by-law shall also be calculated and provided separately for each of the individual components.
- iv) Accessible parking spaces shall be signed in accordance with the Town of Milton's Accessible Parking By-law and/or Highway Traffic Act; and,
- v) Accessible *parking spaces* shall be located in proximity to the primary entrance(s) to a *building* and shall have direct access to the entrance(s) by a minimum 2.2m wide unobstructed sidewalk or access route.

**5.10 BICYCLE PARKING SPACE REQUIREMENTS (052-2018)(089-2022)**

- i) The minimum *parking* requirements for bicycle *parking* shall be provided in accordance with the following:

**TABLE 5I**

<b>Type of Nature of Use</b>	<b>Minimum Bicycle <i>Parking Spaces</i></b>
<i>Apartment Building and Mixed Use Building</i>	0.5 <i>long term bicycle parking space/ unit</i> (*1) PLUS 0.05 <i>short term bicycle parking space/unit</i> (*2)
UGC-MU <i>Apartment Building and Mixed Use Building</i>	1 <i>long term bicycle parking space/unit</i> (*1) PLUS 0.05 <i>short term bicycle parking space/unit</i> (*2)
<i>Dwelling, Retirement</i>	0.1 spaces/ unit
Elementary and Secondary <i>Schools</i>	5% of the required <i>parking spaces</i> for the <i>use</i> or <i>lot</i>
All other Commercial, Employment and Institutional <i>Uses</i>	3% of the required <i>parking spaces</i> for the <i>use</i> or <i>lot</i>

Footnote(s) to TABLE 5I

- (\*1) *Long-term bicycle parking spaces* must be provided in a bicycle rack located in an enclosed, secure area with controlled access or within individual, secure, bicycle enclosures/lockers for use by the occupants of a *building*.
- (\*2) *Short-term bicycle parking spaces* must be provided in a bicycle rack located in an easily accessible location and available for visitors to a *lot* or *building*.

- ii) Deleted;

- iii) Bicycle *parking spaces* shall be provided in addition to any required *parking spaces* for *motor vehicles* or required *parking* for persons with a disability;
- iv) All bicycle *parking spaces* and aisles leading to bicycle *parking* must be surface treated with asphalt, concrete, concrete pavers or similar material;
- v) *Bicycle parking spaces* shall be located in proximity to the primary entrance(s) of a *building* or *structure*;
- vi) Notwithstanding Section 5.10 i) to v) the following exceptions apply:

*Any property located within the Parking Policy Area shown on Schedule C shall not be subject to provide bicycle parking spaces, and;*

*The following uses shall only be required to provide 5 Bicycle Parking Spaces: All uses permitted in the M2 Zone, Funeral Home, Golf Course, Golf Driving Range, Hotel, Motor Vehicle Rental Agency, Warehouse/Distribution Centre, Warehouse Membership Club, and Wholesale Operation.*

**5.11 LOADING SPACE AND LOADING AREA REQUIREMENTS**

- i) Off-street *loading spaces* and *loading areas* shall be provided for each non-residential principal *building* in all Commercial, Employment, and Institutional *Zones* and for any non-residential *floor area* located in a Residential *Zone* as follows:

**TABLE 5J (38-2019)**

<b>Gross Floor Area</b>	<b>Loading Requirements</b>	
	<i>Loading Spaces</i>	<i>Loading Area</i>
280m <sup>2</sup> or less	0	0
281m <sup>2</sup> to 930m <sup>2</sup>	0	1
931m <sup>2</sup> to 2325m <sup>2</sup>	0	1
2326m <sup>2</sup> to 7440m <sup>2</sup>	2	0
7,441m <sup>2</sup> or greater	3 (*1)	0

Footnote(s) to TABLE 5J

(\*2) PLUS 1 additional *loading space* for each additional 9,300m<sup>2</sup> or fraction thereof in excess of 7441m<sup>2</sup>.

**5.11.1 Location of *Loading Spaces* and *Loading Areas***

*Loading spaces* shall be provided in accordance with the following provisions:

- i) Notwithstanding any other provision of this By-law, the minimum width of any aisle providing access to a required *loading space* or *loading area* shall be 6.0m.
- ii) *Loading spaces* shall be provided in accordance with the following:

**TABLE 5K**

PROVISIONS	Location of Loading Spaces and Areas			
	Loading Space(s)		Loading Area	
	M2 Zones	All Other Non-Residential Zones	Commercial, Institutional Zones	Employment Zone
<b>Location</b> (Permitted)				
<i>Front Yard</i>	√	Not Permitted	√	√
<i>Interior Side Yard</i>	√	√	√	√
<i>Exterior Side Yard</i>	√	Not Permitted	√	√
<i>Rear Yard</i>	√	√	√	√
<b>Setbacks</b> (Minimum)				
From a <i>Street Line</i>	20.0 m		0.9 m	4.5 m
From a <i>Building</i>				
<i>Minimum</i>	2.2 m		2.2 m	2.2 m
<i>Maximum</i>	20.0 m		15.0 m	15.0 m

- iii) Where a *loading space* or *loading area* has direct access to a *building* through a *loading bay door*, that portion of the *building* façade shall be permitted a minimum 0.0m *parking area setback* from a *building*;
- iv) *Loading spaces* and *areas* shall be located no closer than 18.0 m from any *abutting residential zone*, excluding the CBD-A, CBD-B, C3 and I-A Zones; and,
- v) With the exception of the M2 Zone, *loading bay doors* are not permitted on any *wall* facing a *public street*, unless both the *loading space(s)* or *loading area* and *loading bay door(s)* are screened from a *public street*.

**5.12 PARKING AREA LOCATION ON A LOT**

Notwithstanding any other provisions of this By-law, *parking areas*, excluding the ingress or egress points used for access from the *street*, shall be provided in accordance with the following:

**TABLE 5L**

PROVISIONS	Parking Area Locations and Setbacks on a Lot			
	Residential Zones	Commercial, Institutional, Natural Heritage Zones	Employment Zones	
	Dwellings with Common Parking Areas	Non Residential Uses	Adult Entertainment Uses	All other Uses
<b>Location</b> (“√” Permitted)				
<i>Front Yard</i>	√	√	√	√
<i>Interior Side Yard</i>	√	√	√	√
<i>Exterior Side Yard</i>	√	√	√	√
<i>Rear Yard</i>	√	√	Not permitted	√
<i>Landscape Buffer</i>	Not permitted	Not permitted	Not permitted	Not permitted
<b>Setbacks</b> (Minimum)				
From a <i>Building</i>	2.2 m	2.2 m	2.2 m	2.2 m
<i>Streetline</i>	7.5 m	0.9 m	9.0 m	4.5 m
All other <i>lot lines</i>	3.0 m	1.5 m (*1)	3.0 m	1.5 m

Footnote(s) to TABLE 5L

(\*1) Where *parking areas* are provided jointly by the Town and a *School*, or where the Town’s lands abut the Union Gas Corridor, a 0.0m *setback* along the mutual *lot line* is permitted.

**5.13 ILLUMINATION (38-2019)**

Where *parking areas*, *buildings* or *structures* are illuminated, lighting fixtures shall be provided in accordance with the following provisions:

- i) No part of any free-standing or *wall-mounted* lighting fixture shall exceed a maximum *height* of 9.5 m above *grade*;
- ii) Lighting fixtures shall be installed in such a manner that all light emitted shall be projected below the lamp or diffusing element;
- iii) No light dispersion shall project above the horizontal plane from the base of the lighting fixture;
- iv) For lots *abutting* a Residential *Zone*, illumination along the abutting and mutual lot line(s) shall not exceed 0.5 foot candles (5 lux), and;
- v) Notwithstanding any other section of this by-law , lighting fixtures for playing fields, tennis courts and public parks shall be exempt from the requirements of subsections 5.13 i) to iv) of this By-law.

#### **5.14 REQUIREMENTS FOR *PARKING STRUCTURES***

Parking *structures* are permitted in accordance with the following provisions:

##### **5.14.1 *Parking Structures 1.6 m or Less in Height***

Any *parking structure* either below *grade* or up to a *height* of 1.6m above *established grade*, may encroach into a *required yard* provided that the *parking structure* is located no closer than 3.0m to a *street line* or *lot line*, but shall not encroach into a *required landscape buffer*.

##### **5.14.2 *Parking Structures Greater Than 1.6m in Height***

Any part of an enclosed *parking structure* that projects 1.61m or more above *established grade* shall be subject to the *yard* requirements for the *principal building* on the *lot*.

##### **5.14.3 *Entrance and Exit Ramps***

No part of any *wall* or *structure* enclosing an entrance or exit ramp above or below *grade* shall be located any closer than 7.5m from a *street line*.

##### **5.14.4 *Stairs and Air Vents Associated with Parking Structures* (052-2018)**

*Stairs* and air vents shall not be subject to the parking structure setbacks of this By-law.

#### **5.15 *PARKING AND STORAGE OF DISPLAY VEHICLES***

Where a permitted *use* involves the storage and/or display of operational *motor vehicles*, such as a *motor vehicle dealership*, such storage and/or display shall be subject to the same provisions that would apply to any parking area required by this by-law.

#### **5.16 *PARKING OF OVERSIZED MOTOR VEHICLES* (113-2017)**

- i) Within any *Zone*, with the exception of the *Employment Zones*, the parking or storage of any *motor vehicle* exceeding a registered gross vehicle weight of 4500 kg, an overall length of 7.0m or an overall *height* of 2.6m is not permitted unless wholly located within an enclosed garage or on lands where a *home industry* is legally located;
- ii) The parking or storage of any oversized *motor vehicle* is permitted in any *Employment Zone*, provided that it is located outside of any *parking spaces*, aisles and *landscaped open space* otherwise required by this By-law and provided that it is accessory to or used in conjunction with a permitted principal use located on the same property; and,
- iii) Notwithstanding the foregoing, the *parking* of *oversized vehicles* related to a public service or publicly funded school service (eg. Buses, ambulances, fire trucks) is permitted in any non-residential *zone* provided it is located within an *interior side*

*yard* or *rear yard*, and provided it is located no closer than 25 m to any *lot* zoned or used for residential purposes.

**5.17 PARKING OF TRAILERS AND RECREATIONAL MOTOR VEHICLES**

- i) Notwithstanding Section 5.16, the parking of trailers and recreational vehicles shall be in accordance with the following provisions:
- ii) Not more than one *trailer* or recreational *motor vehicle* shall be parked out of doors on a *lot* and shall only be permitted in accordance with the following:

**TABLE 5M**

PROVISIONS	Parking of <i>Trailer</i> and <i>Recreational Vehicles</i>
	Urban Areas
<b>Height</b> (“√” Permitted)	
3.0m or less than	√ (*1)
Greater than 3.1m and less than 5.5m	Not Permitted
Greater than 5.5m	Not Permitted

Footnote(s) to TABLE 5M

(\*1) Any *recreational vehicle*, *trailer* or any load thereon including a boat, whether on or off a *trailer* or other supporting device, may be parked or stored on a *residential driveway* in any *front yard* or *exterior side yard* between May 1st and October 31st provided it does not occupy a required *parking space*. At any other time, such *parking* or *storage* is permitted only in a *rear yard*.

**5.18 DRIVE- THROUGH FACILITIES AND QUEUING LANE REQUIREMENTS**

Where *drive-through service facilities*, *Motor Vehicle Service Station*, *Gas Bar* or *Washing Establishment* are permitted, queuing *lanes* are required and shall be exclusive of any other *parking space* and aisle requirements contained within this By-law and shall be provided in accordance with the following provisions:

**5.18.1 Queuing Space Requirements**

- i) The minimum *queuing space* requirements within a designated queuing *lane* shall be as follows:

**TABLE 5N**

<i>Drive-Through Facility</i>	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
<i>Drive-Through, Restaurant or Motor Vehicle Washing Establishment</i>	10	2



<b><i>Drive-Through Facility</i></b>	<b>Minimum Required Ingress Spaces</b>	<b>Minimum Required Egress Spaces</b>
<i>Drive-Through, Bank</i>	3	1
All Other <i>Drive-Through</i> Facilities	3	1

- ii) *Ingress spaces* shall be measured from the first point of contact;
- iii) *Egress spaces* shall be located between *ingress space* and the final point of contact; and,
- iv) The queuing *lane* associated with the *drive-through service use* shall be the total number of required *ingress spaces* and *egress spaces*.

**5.18.2 Multiple Queuing Lane Requirements**

Where multiple queuing *lanes* are required on a *lot*, the queuing *space* requirements shall be provided for each individual queuing *lane* in compliance with the provisions of Section 5.18.

**5.18.3 Size of Queuing Space**

All queuing *spaces* shall be rectangular in shape, with a minimum length of 6.0m and a width of 3.0m.

**5.18.4 Setbacks for Queuing Lanes**

- i) Queuing *lanes* and all order boxes using voice communication to order shall be located no closer than 7.5m from any *street line* or any Residential Zone, and 4.5m from any other *lot line*; and,
- ii) Notwithstanding any provisions to the contrary, required queuing lanes and queuing spaces associated with a *drive-through facility* shall be permitted a minimum 0.0m *setback* from any *building* or *structure*.

**5.18.5 Delineation of Queuing Lane Requirements**

Queuing *lanes* shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the *parking area*.

**5.19 REQUIREMENTS FOR ELECTRIC VEHICLE CHARGING STATIONS IN THE UGC-MU AND UGC-MU2 ZONES**

**TABLE 50**

<b>Type or Nature of Use</b>	<b>Minimum <i>EV Charging Station</i> Requirement</b>
UGC-MU <i>Apartment Buildings, Mixed Use Buildings and Stacked Townhouses with a common parking structure</i>	Where the required number of <i>parking spaces</i> is 100 spaces or more, a minimum of 25% of the required <i>parking spaces</i> shall have a <i>roughed-in electric vehicle charging station</i>
UGC-MU and UGC-MU2 Permitted non-residential uses	Where the required number of <i>parking spaces</i> is 100 spaces or more, a minimum of 20% of the required <i>parking spaces</i> shall have a <i>roughed-in electric vehicle charging station</i> ; and, a minimum of 1% of all the required <i>parking spaces</i> shall have an <i>electric vehicle charging station</i> installed

## SECTION 6 RESIDENTIAL ZONES

A number(s) following the *zone* standard, *zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of each table within Section 6.2.

No person shall within any Residential *Zone* use any land, or erect, alter or use any *building* or *structure* except in accordance with the following provisions:

### 6.1 PERMITTED USES

Uses permitted in a *Zone* are noted by the symbol ‘•’ in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use*. A number(s) following the symbol ‘•’, *Zone* heading or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed below the Permitted *Use* Table.

**TABLE 6A** (081-2020)(077-2021)(007-2022)

Permitted Uses	ZONE				
	RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7	RMD1	RMD2	RHD	RO
	Low Density	Med. Density I	Med. Density II	High Density	Res./ Office
<b>Residential Uses</b>					
<i>Apartment Building</i>			•	•	•
<i>Dwelling, Back to Back Townhouse (39-2004)</i>			•		
<i>Dwelling, Detached</i>	•	•			
<i>Dwelling, Duplex</i>	•	•			
<i>Dwelling, Multiple</i>		•	•		
<i>Dwelling, Quattroplex</i>		•	•		
<i>Dwelling, Retirement</i>			•	•	
<i>Dwelling, Semi-detached</i>	•	•			
<i>Dwelling, Townhouse</i>		•	•		
<i>Dwelling, Triplex</i>		•			
<i>Shared Housing (*2)</i>	•	•	•	•	•
<i>Short-Term Rental (*3)</i>	•	•	•	•	•
<b>Non-Residential Uses</b>					
<i>Convenience Store</i>					• (*1)
<i>Cottage Industry</i>					
<i>Bank</i>					• (*1)
<i>Home Day Care</i>	•	•	•	•	•

Permitted Uses	ZONE				
	RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7	RMD1	RMD2	RHD	RO
	Low Density	Med. Density I	Med. Density II	High Density	Res./ Office
Home Occupation	•	•	•	•	
Long Term Care Facility				•	
Medical Clinic					•
Office Building					•
Office Uses					•
Personal Service Shop					• (*1)
Restaurant					• (*1)

Footnote(s) for Table 6A

(\*1) Only permitted in the *first storey* of an *office building* or *apartment building* containing a permitted use, and shall have a cumulative *gross floor area* up to a maximum of 10% the total *gross floor area* of the *building*.

(\*2) *Shared Housing* is permitted within any dwelling unit that is permitted in the zone.

(\*3) *Short-Term Rental* is permitted within any *dwelling unit* that is permitted in the zone.

**TABLE 6A-1 (052-2018)(38-2019)**

Permitted Uses	Mixed Use Zones
	MU
	Mixed Use
Mixed Use Building	• (*3)
Apartment Building	• (*3)
Dwelling, Live-Work Unit	•
Dwelling, Multiple	• (*3)(*4)
Dwelling, Retirement	• (*3)
Art gallery	• (*6)
Artist's studio	• (*6)
Bank	• (*1) (*2) (*5) (*6)
Commercial school – skill	• (*1) (*2) (*6)
Convenience store	• (*1) (*2) (*6)
Day Care Centre	• (*1) (*2) (*5) (*6)
Dry cleaning depot	• (*1) (*2) (*6)
Fitness centre	• (*2) (*5) (*6)
Home day care	• (*6)
Home occupation	•
Medical clinic	• (*1) (*5)(*6)
Laundromat	• (*1) (*2) (*5)(*6)
Library	• (*5)
Long term care facility	• (*5)
Office use	• (*6)

<b>Permitted Uses</b>	<b>Mixed Use Zones</b>
	MU
	Mixed Use
<i>Personal service shop</i>	• (*1) (*2) (*6)
<i>Restaurant</i>	• (*1)(*2)(*5) (*6)
<i>Retail Store 1</i>	• (*1)(*2) (*6)
<i>School, Adult Education</i>	•
<i>Specialty Food Store</i>	• (*6)
<i>Veterinary clinic – small animal</i>	• (*5) (*6)
<i>Veterinary clinic – large animal</i>	• (*6)

Footnotes for Table 6A-1:

- (\*1) Only permitted on the *first storey* of a multi-storey *Mixed-use Building* and must be oriented towards, with at least one principal entrance accessible from a *public street*, or in a stand-alone *building*.
- (\*2) Total *gross floor area* of all *retail* and commercial *uses* per Major/Minor Node zone is 2,787 m<sup>2</sup>, with the exception of the following four nodes that shall have a maximum total gross floor area of 450 m<sup>2</sup>:
  - a) the northeast corner of Tremaine Road and Britannia Road;
  - b) the northwest corner of Thompson Road and Britannia Road;
  - c) the northeast corner of Thompson Road and Britannia Road; and,
  - d) the southwest corner of Louis St. Laurent Avenue and the first collector road west of Fourth Line.
- (\*3) A minimum of 4 m<sup>2</sup> per *dwelling unit* of outdoor communal *amenity* space shall be provided at *grade* and shall be maintained and operated by a common entity (such as a condominium corporation). This outdoor communal *amenity* spaceshall be aggregated into areas of not less than 50 m<sup>2</sup> and have a minimum width of 6.0 metre.
- (\*4) Limited to multiple attached *dwelling units*, such as *stacked townhouses* and *hybrid apartment buildings*, at a minimum density of 100 units per net hectare and with a common underground parking garage containing a minimum of 80% of the required parking.
- (\*5) Shall not be permitted within a *Dwelling, Live/Work Unit*.
- (\*6) Stand-alone *retail* and service commercial *uses*, not exceeding 1860 m<sup>2</sup> within a single node may be permitted.

## 6.2 ZONE STANDARDS

No person shall within any Residential *Zone* use any *lot* or erect, alter or use any *building* or *structure* except in accordance with the following *Zone* provisions:

**TABLE 6B (007-2022)**

Regulations	ZONES					
	RLD			RLD1		
	Residential Low Density			Residential Low Density I		
	Dwelling Type			Dwelling Type		
	Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling		Detached Dwelling / Duplex Dwelling (*6)	Semi-detached Dwelling (*6)	
Corner Lot		Interior Lot	Corner Lot		Interior Lot	
<b>Lot Frontage</b> (Minimum)	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit
<b>Lot Depth</b> (Minimum)	30m	30m	30m	30m	30m	30m
<b>Lot Area</b> (Minimum)	N/A	N/A	N/A	N/A	N/A	N/A
<b>Lot Coverage</b> (Maximum)	See Footnote (*1)	See Footnote (*1)	See Footnote (*1)	See Footnote (*1)	See Footnote (*1)	See Footnote (*1)
<b>Front Yard Setback</b> (Minimum)	4.0m	4.0m	4.0m	4.0m	4.0m	4.0m
<b>Interior Side Yard Setback</b> (Minimum)	1.2m	1.2m	0.0m on one side, 1.2m on the other side	See Footnote (*2)	0.0m	0.0m on one side, the other side subject to (*2 i)) (*3)
<b>Exterior Side Yard Setback</b> (Minimum)	4.0m (*4)	4.0m (*4)	N/A	4.0m (*4)	4.0m (*4)	N/A
<b>Rear Yard Setback</b> (Minimum)	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
<b>Building Height</b> (Maximum)	11m	11m	11m	See Footnote (*5)	See Footnote (*5)	See Footnote (*5)
<b>Landscaped Open Space</b> (Minimum)	30%	30%	30%	30%	30%	30%

Footnote(s) for Table 6B

(\*1) See Table 6B ( I ) below for maximum permitted *lot coverage*

**TABLE 6B ( I )**

Lot Area	Maximum lot Coverage
Less than 660 m <sup>2</sup>	30%
660 – 830 m <sup>2</sup>	25%
Greater than 830 m <sup>2</sup>	20%

(\*3) Minimum *interior side yard*:

i) With attached *garage* or *carport*

- a. 1.2m for one-storey  *dwellings* and 1.8m for two-storey  *dwellings*, where the  *lot frontage* is less than 15m.
- b. 1.8m, where the  *lot frontage* is equal to, or greater than, 15m but less than 25m.
- c. 3.0m, where the  *lot frontage* is equal to, or greater than, 25m but less than 30m.
- d. 5.0m, where the  *lot frontage* is equal to, or greater than, 30m.

ii) Where no *garage* or *carport* is attached to the dwelling:

- a. the  *interior side yard setback* closest to the  *driveway* shall be a minimum of 3.5m, and the other side shall be:
  - 1) 1.2m for one-storey  *dwellings* and 1.8m for two-storey  *dwellings*, where the  *lot frontage* is less than 15m.
  - 2) 1.8m, where the  *lot frontage* is equal to, or greater than, 15m but less than 25m.
  - 3) 3.0m, where the  *lot frontage* is equal to, or greater than, 25m but less than 30m.
- b. Notwithstanding subsection ii) a. above, where the  *lot frontage* is equal to, or greater than 30m the  *interior side yard setback* shall be a minimum of 5.0m on both sides of the dwelling.

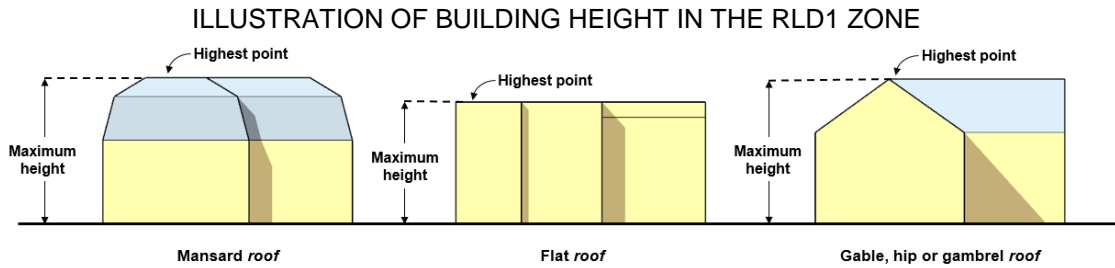
(\*4) Where no *garage* or *carport* is attached to the  *dwelling*, the  *interior side yard setback* shall be 0.0m on one side and a minimum of:

- i) 3.5m on the other side, where the  *lot frontage* is less than 30m.
- ii) 5.0m on the other side, where the  *lot frontage* is equal to, or greater than, 30m.

(\*5) The minimum required  *exterior side yard* is 2.0m if the  *yard abuts* a public right-of-way less than 18.0m wide.

(\*6) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:

- i) 8.0m in the case of a flat  *roof*; measured from the  *established grade* to the uppermost point of the  *roof* surface or parapet, whichever is greater.
- ii) 9.5m in the case of a gable, hip, gambrel or mansard  *roof*; measured from the  *established grade* to the uppermost point of the  *roof* surface.



**NOTE:**

The above illustration is for clarification and convenience only and does not form part of this By-law.

(\*7) Shall be subject to the provisions of Section 6.3.2 of this By-law.



**TABLE 6B-1 (077-2021)(007-2022)**

Regulations	ZONES								
	RLD2			RLD3			RLD4		
	Residential Low Density II			Residential Low Density III			Residential Low Density IV		
	Dwelling Type			Dwelling Type			Dwelling Type		
	Detached Dwelling / Duplex Dwelling (*1)	Semi-detached Dwelling (*1)		Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling		Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling	
Corner Lot		Interior Lot	Corner Lot		Interior Lot	Corner Lot		Interior Lot	
<b>Lot Frontage</b> (Minimum)	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit
<b>Lot Depth</b> (Minimum)	30m	30m	30m	30m	30m	30m	30m	30m	30m
<b>Lot Area</b> (Minimum)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Lot Coverage</b> (Maximum)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)
<b>Front Yard Setback</b> (Minimum)	6.5m (*3)	6.5m (*3)	6.5m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)
<b>Interior Side Yard Setback</b> (Minimum)	(*4)	0.0m	0.0m on one side, other side subject to (*4 i) (*5)	(*6)	0.0m	0.0m on one side, 1.8m on the other side (*5)	1.2m on one side, 1.8m on the other side (*7)	0.0m	0.0m on one side, 1.8m on the other side (*5)
<b>Exterior Side Yard Setback</b> (Minimum)	3.5m	3.5m	N/A	4.0m	4.0m	N/A	4.0m	4.0m	N/A
<b>Rear Yard Setback</b> (Minimum)	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
<b>Building Height</b> (Maximum)	(*8)	(*8)	(*8)	(*8)	(*8)	(*8)	(*9)	(*9)	(*9)
<b>Number of Storeys</b> (Maximum)	2	2	2	2	2	2	2	2	2

<b>Landscaped Open Space (Minimum)</b>	30%	30%	30%	30%	30%	30%	30%	30%	30%
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Footnotes for Table 6B-1:

(\*1) Shall be subject to the provisions of Section 6.3.3 of this By-law.

(\*2) See Table 6B-1 (I) below for maximum permitted *lot coverage*.

**TABLE 6B-1 (I)**

<i>Lot Area</i>	<i>Maximum Lot Coverage</i>
Less than 660 m <sup>2</sup>	30% *
660 – 830 m <sup>2</sup>	25% **
Greater than 830 m <sup>2</sup>	20% ***

\* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.5% provided there is no *gross floor area* or *amenity area* located above.

\*\* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.25% provided there is no *gross floor area* or *amenity area* located above.

\*\*\* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.0% provided there is no *gross floor area* or *amenity area* located above.

(\*3) In the case of an addition to an existing building, the minimum required *front yard setback* shall be equal to the *front yard setback* legally existing on the effective date of By-law 077-2021 or the minimum *front yard setback* required for the parent *zone*, whichever is less restrictive.

(\*4) Minimum *interior side yard*:

i) With attached *garage* or *carport*:

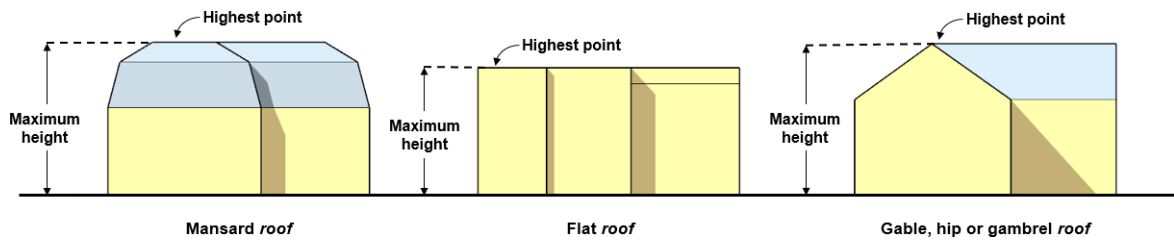
- a. 1.2m for one-storey *dwellings* and 1.8m for two-storey *dwellings*, where the *lot frontage* is less than 15m.
- b. 1.8m, where the *lot frontage* is equal to, or greater than, 15m but less than 25m.
- c. 3.0m, where the *lot frontage* is equal to, or greater than, 25m but less than 30m.
- d. 5.0m, where the *lot frontage* is equal to, or greater than, 30m.

ii) Where no *garage* or *carport* is attached to the dwelling:

- a. The *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m and the other side shall be a minimum of:
  - 1) 1.2m for one-storey *dwellings* and 1.8m for two-storey *dwellings*, where the *lot frontage* is less than 15m.
  - 2) 1.8m, where the *lot frontage* is equal to, or greater than, 15m but less than 25m.
  - 3) 3.0m, where the *lot frontage* is equal to, or greater than, 25m but less than 30m.

- b. Notwithstanding subsection ii) a. above, where the *lot frontage* is equal to, or greater than 30m, the *interior side yard setback* shall be a minimum of 5.0m on both sides of the *dwelling*.
- (\*5) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* shall be 0.0m on one side and a minimum of:
- i) 3.5m on the other side, where the *lot frontage* is less than 30m.
  - ii) 5.0m on the other side, where the *lot frontage* is equal to, or greater than, 30m.
- (\*6) Minimum *interior side yard*:
- i) With attached *garage* or *carport*:
    - a. 1.2m on one side of the lot and 1.8m on the other side for one-storey dwellings and 1.8m on both sides of the lot for two-storey dwellings, where the *lot frontage* is less than 20m.
    - b. 1.8m on one side of the lot and 2.4m on the other side, where the *lot frontage* is equal to, or greater than 20m.
  - ii) Where no *garage* or *carport* is attached to the *dwelling*:
    - a. The *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m, and the other side shall be a minimum of:
      - 1) 1.2m for one-storey dwellings and 1.8m for two-storey dwellings, where the *lot frontage* is less than 20m.
      - 2) 1.8m where the *lot frontage* is equal to, or greater than, 20m.
    - b. Notwithstanding subsection ii) a. above, where the *lot frontage* is equal to, or greater than 30m, the *interior side yard setback* shall be a minimum of 5.0m on both sides of the *dwelling*.
- (\*7) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m and the other side shall be a minimum of 1.2m.:
- (\*8) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:
- i) 7.5m in the case of a flat *roof*, measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater.
  - ii) 9.0m in the case of a gable, hip, gambrel or mansard *roof*, measured from the *established grade* to the uppermost point of the *roof* surface.
- (\*9) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:
- i) 8.0m in the case of a flat *roof*, measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater.
  - ii) 9.5m in the case of a gable, hip, gambrel or mansard *roof*, measured from the *established grade* to the uppermost point of the *roof* surface.

ILLUSTRATION OF BUILDING HEIGHT IN THE RLD2, RLD3, and RLD4 ZONES



**NOTE:**

The above illustration is for clarification and convenience only and does not form part of this By-law.

**TABLE 6B-2 (007-2022)**

Regulations	ZONES								
	RLD5			RLD6			RLD7		
	Residential Low Density V			Residential Low Density VI			Residential Low Density VII		
	Dwelling Type			Dwelling Type			Dwelling Type		
	Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling		Detached Dwelling / Duplex Dwelling (*1)	Semi-detached Dwelling (*1)		Detached Dwelling / Duplex Dwelling (*1)	Semi-detached Dwelling (*1)	
Corner Lot		Interior Lot	Corner Lot		Interior Lot	Corner Lot		Interior Lot	
<b>Lot Frontage</b> (Minimum)	10.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit
<b>Lot Depth</b> (Minimum)	30m	30m	30m	30m	30m	30m	30m	30m	30m
<b>Lot Area</b> (Minimum)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Lot Coverage</b> (Maximum)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)
<b>Front Yard Setback</b> (Minimum)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)
<b>Interior Side Yard Setback</b> (Minimum)	0.6m on one side, 1.2m on the other side (*4)	0.0m	0.0m on one side, 1.2m on the other side (*5)	1.2m on one side, 1.8m on the other side (*6)	0.0m	0.0m on one side, 1.8m on the other side (*5)	1.2m on one side, 2.4m on the other side (*6)	0.0m	0.0m on one side, 1.8m on the other side (*5)
<b>Exterior Side Yard Setback</b> (Minimum)	4.5m	4.5m	N/A	5.0m	5.0m	N/A	5.0m	5.0m	N/A
<b>Rear Yard Setback</b> (Minimum)	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
<b>Building Height</b> (Maximum)	(*7)	(*7)	(*7)	(*7)	(*7)	(*7)	(*7)	(*7)	(*7)
<b>Number of Storeys</b> (Maximum)	2	2	2	2	2	2	2	2	2

<b>Landscaped Open Space (Minimum)</b>	30%	30%	30%	30%	30%	30%	30%	30%	30%
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Footnotes for Table 6B-2:

- (\*1) Shall be subject to the provisions of Section 6.3.4 of this By-law.
- (\*2) See Table 6B-2 (I) below for maximum permitted *lot coverage*.

**TABLE 6B-2 (I)**

<i>Lot Area</i>	<i>Maximum Lot Coverage</i>
Less than 660 m <sup>2</sup>	30% *
660 – 830 m <sup>2</sup>	25% **
Greater than 830 m <sup>2</sup>	20% ***

\* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.5% provided there is no *gross floor area* or *amenity area* located above.

\*\* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.25% provided there is no *gross floor area* or *amenity area* located above.

\*\*\* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.0% provided there is no *gross floor area* or *amenity area* located above.

(\*3) In the case of an addition to an existing *building*, the minimum required *front yard setback* shall be equal to the *front yard setback* legally existing on the effective date of By-law 007-2022 or the minimum *front yard setback* required for the parent *zone*, whichever is less restrictive.

(\*4) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m and the other side shall be a minimum of 0.6m.

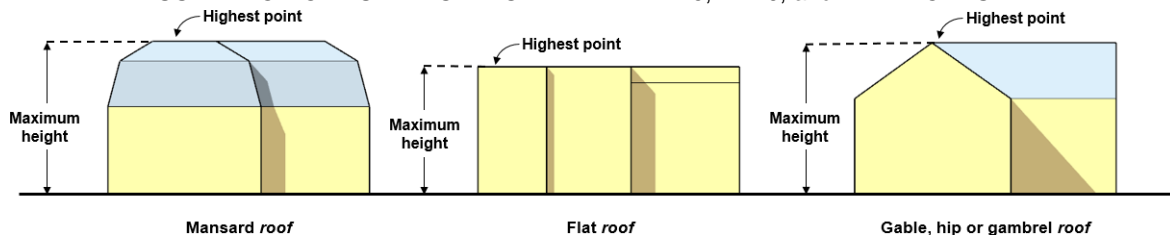
(\*5) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* shall be 0.0m on one side and a minimum of 3.5m on the other side.

(\*6) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m and the other side shall be a minimum of 1.2m.

(\*7) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:

- i) 7.5m in the case of a flat *roof*, measured from the *established grade* to the uppermost point of the *roof surface* or parapet, whichever is greater.
- ii) 9.0m in the case of a gable, hip, gambrel or mansard *roof*, measured from the *established grade* to the uppermost point of the *roof surface*.

ILLUSTRATION OF BUILDING HEIGHT IN THE RLD5, RLD6, and RLD7 ZONES



**NOTE:**

The above illustration is for clarification and convenience only and does not form part of this By-law.

**TABLE 6C**

Regulations	ZONE						
	RMDI						
	Residential Medium Density I						
	Dwelling Type						
	Detached Dwelling / Duplex Dwelling (*1)		Semi-Detached Dwelling (*1)		Townhouse Dwelling (*1)		
Corner Lot	Interior Lot	Corner Lot	Interior Lot	Corner Unit	Interior Unit	End Unit	
<b>Lot Frontage</b> (Minimum)							
<i>Street Access</i>							
Local street	10.3m	9.5m	7.95m / unit	6.85 / unit	8.4m / unit	6.4m / unit	7.6m / unit
All other streets	10.7m	9.5m	8.35m / unit	6.85 / unit	8.8m / unit	6.4m / unit	7.6m / unit
<i>Lane Access</i>							
Local street	8.3m	7.5m	7.7m / unit	6.6m / unit	7.5m / unit	5.5m / unit	6.7m / unit
All other Street	8.7m	7.5m	8.1m / unit	6.6m / unit	7.9m / unit	5.5m / unit	6.7m / unit
<b>Lot Depth</b> (Minimum)							
<i>Street Access</i>	24.0m	24.0m	24.0m	24.0m	24.0m	24.0m	24.0m
<i>Lane Access</i>	32.5m	32.5m	32.5m	32.5m	32.5m	32.5m	32.5m
<b>Front Yard Setback</b> (Minimum)	2.0m	2.0m	2.0m	2.0m	2.0m	2.0m	2.0m
<b>Interior Side Yard Setback</b> (Minimum)	0.6m	1.2m on one side, 0.6m on the other side	0.0m	0.9m on one side, 0.0m on the other side	0.0m	0.0m	1.2m on one side, 0.0m on the other
<b>Exterior Side Yard Setback</b> (Minimum)							
<i>Street Access</i>	2.4m (*2)	No minimum	2.4m (*2)	No minimum	2.4m	No minimum	No minimum
<i>Lane Access</i>	2.4m (*2)	No minimum	No minimum	No minimum	2.4m	No minimum	No minimum
<b>Rear Yard Setback</b> (Minimum)							
<i>Street Access</i>	7.0m	7.0m	7.0m	7.0m	7.0m	7.0m	7.0m
<i>Lane Access</i>							
Attached Garage	7.0m	7.0m	7.0m	7.0m	7.0m	7.0m	7.0m
Detached Garage	14.0m	14.0m	14.0m	14.0m	14.0m	14.0m	14.0m
<b>Building Height</b> (Maximum)	11.0m	11.0m	11.0m	11.0m	12.5m	12.5m	12.5m
<b>Landscaped Open Space</b> (Minimum)	No minimum	No minimum	No minimum	No minimum	No minimum	No minimum	No minimum



**TABLE 6C- CONTINUED**

<b>Regulations</b>	<b>ZONE</b>		
	<b>RMD I</b>		
	<b>Residential Medium Density I</b>		
	<b>Dwelling Type</b>		
	<b>Multiple Dwelling</b>	<b>Quattroplex Dwelling</b>	<b>Triplex Dwelling</b>
<b>Lot Frontage</b> (Minimum)	30.0m	30.0m	22.5m
<b>Lot Depth</b> (Minimum)	35.0m	30.0m	30.0m
<b>Front Yard Setback</b> (Minimum)	4.0m	4.0m	6.0m
<b>Interior Side Yard Setback</b> (Minimum)	6.0m	3.0m	4.5m
<b>Exterior Side Yard Setback</b> (Minimum)	4.0m	4.0m	6.0m
<b>Rear Yard Setback</b> (Minimum)	7.5m	7.5m	7.5m
<b>Building Height</b> (Maximum)	12.5m	12.5m	12.5m
<b>Landscaped Open Space</b> (Minimum)	30%	30%	30%

Footnote(s) for Table 6C

(\*1) Shall be subject to the provisions of Section 6.3 of this By-law.

(\*2) The minimum required *exterior side yard* is 2.0m if the *yard abuts* a public right-of-way of less than 18.0m wide.

**TABLE 6D**

Regulations	ZONE						
	RMD II						
	Residential Medium Density II						
	Dwelling Type						
	Townhouse Dwelling (*1)			Back-To-Back Townhouse Dwelling (*1)			
	Corner Unit	Interior Unit	End Unit	Corner Unit	Interior Unit	End Unit	
<b>Lot Frontage</b> (Minimum)	<i>Street Access</i>						
	Local street	8.4m / unit	6.4m / unit	7.6m / unit	8.4m / unit	6.0m / unit	7.6m / unit
	All other streets	8.8m / unit	6.4m / unit	7.6m / unit	8.4m / unit	6.0m / unit	7.6m / unit
	<i>Lane Access</i>						
	Local street	7.5m / unit	5.5m / unit	6.7m / unit	N/A	N/A	N/A
	All other streets	7.9m / unit	5.5m / unit	6.7m / unit	N/A	N/A	N/A
<b>Lot Depth</b> (Minimum)	<i>Street Access</i>						
		24.0m	24.0m	24.0m	13.5m	13.5m	13.5m
	<i>Lane Access</i>						
		32.5m	32.5m	32.5m	N/A	N/A	N/A
<b>Front Yard Setback</b> (Minimum)		2.0m	2.0m	2.0m	4.5m	4.5m	4.5m
<b>Interior Side Yard Setback</b> (Minimum)		0.0m	0.0m	0.0m on one side; 1.2m on the other side	0.0m	0.0m	0.0m on one side; 1.2m on the other side
<b>Exterior Side Yard Setback</b> (Minimum)		2.4m (*2)	N/A	N/A	2.4m	N/A	N/A
<b>Rear Yard Setback</b> (Minimum)	<i>Street Access</i>						
		7.0m	7.0m	7.0m	0.0m	0.0m	0.0m
	<i>Lane Access</i>						
	Attached Garage	7.0m	7.0m	7.0m	N/A	N/A	N/A
	Detached Garage	14.0m	14.0m	14.0m	N/A	N/A	N/A
<b>Building Height</b> (Maximum)		12.5m	12.5m	12.5m	12.5m	12.5m	12.5m
<b>Landscaped Open Space</b> (Minimum)		No Minimum	No Minimum	No Minimum	No Minimum	No Minimum	No Minimum

**TABLE 6D CONTINUED**

Regulations	ZONE			
	RMD II			
	Residential Medium Density II			
	Dwelling Type			
	<i>Apartment Building (*1)</i>	<i>Multiple Dwelling</i>	<i>Quattroplex Dwelling (*1)</i>	<i>Triplex Dwelling (*1)</i>
<b>Lot Frontage</b> (Minimum)	54.0m	30.0m	30.0m	22.5m
<b>Lot Depth</b> (Minimum)	35.0m	35.0m	30.0m	30.0m
<b>Front Yard Setback</b> (Minimum)	6.0m	4.0m	4.0m	6.0m
<b>Interior Side Yard Setback</b> (Minimum)	6.0m	6.0m	3.0m	4.5m
<b>Exterior Side Yard Setback</b> (Minimum)	6.0m	4.0m	4.0m (*2)	6.0m (*2)
<b>Rear Yard Setback</b> (Minimum)	22.5m	7.5m	7.5m (*3)	7.5m (*3)
<b>Building Height</b> (Maximum)	4 storeys to a maximum 16.5m	4 storeys to a maximum 16.5m	12.5m	12.5m
<b>Landscaped Open Space</b> (Minimum)	35%	35%	30%	30%

Footnote(s) for Table 6D

(\*1) Shall be subject to the provisions of Section 6.3 of this By-law.

(\*2) The minimum required *exterior side yard* is 2.0m if the *yard abuts* a public right-of-way less than 18.0m wide.

(\*3) The *parking* of any *motor vehicle* is prohibited in the required *rear yard*.

**TABLE 6E (052-2018)**

Regulations	ZONES		
	RHD	RO	
	<i>Residential High Density</i>	<i>Residential Office</i>	
	Dwelling Type		
	<i>Apartment Building</i>	<i>Apartment Building</i>	<i>Office Buildings</i>
<b>Lot Frontage</b> (Minimum)	54m	54m	54m
<b>Lot Depth</b> (Minimum)	36m	36m	36m
<b>Lot Coverage</b> (Maximum)	25%	25%	25%
<b>Front Yard Setback</b> (Minimum)	10.5m	4.0m <b>(*1)</b>	4.0m <b>(*1)</b>
<b>Interior Side Yard Setback</b> (Minimum)	Greater of ½ <i>building height</i> or 10.5m	Greater of ½ <i>building height</i> or 10.5m	Greater of ½ <i>building height</i> or 10.5m
<b>Exterior Side Yard Setback</b> (Minimum)	10.5m	4.0m <b>(*1)</b>	4.0m <b>(*1)</b>
<b>Rear Yard Setback</b> (Minimum)	Greater of ½ <i>building height</i> or 10.5m	Greater of ½ <i>building height</i> or 10.5m	Greater of ½ <i>building height</i> or 10.5m
<b>Building Height</b> (Maximum)	8 storeys to a maximum of 29m	8 storeys to a maximum of 29m	8storeys to a maximum of 29m
<b>Landscaped Open Space</b> (Maximum)	N/A	35%	35%
<b>Floor Space Index</b> (Minimum) (Maximum)	N/A	1.0 2.0	1.0 2.5

Footnote(s) for Table 6E

(\*1) Notwithstanding the above, an additional 1.0m shall be provided for each additional *storey* or part *storey* above the fourth *storey* to a maximum of 7.0 m.

**TABLE 6F (052-2018)(38-2019)**

Regulations	Mixed Use Zones
	MU
	Mixed Use
Setbacks to Street Line (minimum): Residential Mixed Use Buildings	3.0 metres 0.0 metres
Setbacks to All Other Zones and Grade Related Dwellings (minimum):	For buildings up to 10.5 m in height: 7.5 m from a property line, and where there is no property line, 7.5 m plus the typically required yard setback for the grade-related dwelling unit(s).  For buildings above 10.5 m in height: No part of any <i>building</i> abutting another zone or grade-related dwelling unit(s) may project above a 45 degree angular plane measured at a height of 10.5 metres and a distance of 7.5 metres from the abutting lot line, or where there is no property line, 7.5 m plus the typically required yard setback for the grade-related dwelling unit(s).
Access to at-grade units:	Where residential, retail, commercial and office units are located at-grade within the first storey of a residential or mixed use building, a minimum of one principal building entrance to each unit shall be directly accessible from, and oriented towards, a public street.
First storey height, measured from floor to floor: (Minimum)	4.0 metres, with the exception of multiple dwellings and live work units.
Building height, exclusive of mechanical penthouses, rooftop equipment, elevator tower, stair tower and/or architectural features such as parapets:	Minimum: 3 storeys and 10.5 metres Maximum: 8 storeys and 29 metres  For Commercial stand-alone buildings, the minimum height shall be 2 storeys.
Surface Area Parking (maximum):	25%

Regulations	Mixed Use Zones
	MU
	Mixed Use
<i>Balconies</i>	Where balconies are oriented towards an arterial road, they are only permitted above 6.0 metres from established grade.
<i>Main wall of a building:</i>	The maximum length of a main wall shall not exceed 60 metres.
<i>Above-grade parking structure:</i>	Above grade parking within a building is not permitted within the first 9.0 metres of the depth of the building measured in from the lot line adjacent to a public street, and the first 4.0 metres of height of the building measured from the finished floor elevation to the top of the first storey within that 9.0 metre depth.
<i>Transformer and Telecommunications:</i>	Transformer and tele-communications vaults and pads shall not project towards a public street beyond the main wall of the building.
<i>Landscaped Open Space (minimum)</i> <i>Residential</i>	30%
<i>Mixed Use Buildings and Stand-Alone Commercial</i>	20%
<i>Floor Space Index (FSI)</i> <i>Residential Building</i>	Minimum 1.0 Maximum: 2.0
<i>Mixed Use Building</i>	Minimum: 1.0 Maximum: 3.0

## 6.3 SPECIAL RESIDENTIAL PROVISIONS

### 6.3.1 Street Front Treatment of Residential *Buildings* in the RMD1 zone

All residential *buildings* in the RMD1 zone must comply with one or more of the following *street* front treatment provisions with respect to each *dwelling* type:

#### 6.3.1.1 Detached Dwellings:

- i) In no case shall any two (2) facing walls having a *height* of up to 3.5m be closer than 1.2m apart;
- ii) In no case shall any two (2) facing walls having a *height* of over 3.5m be closer than 1.8m apart;
- iii) The *building face* shall have a minimum *dwelling face* of 4.5m, OR;
- iv) The *dwelling face* must be a minimum of 40% of the *main floor building face*, and;
- v) In the case of iv) above, the following provisions shall also apply:
  - a) The *dwelling face* shall project 1.5m closer to the *street line* than the *garage face*;
  - b) Habitable space must be provided above the *main floor*, which is the floor closest to *grade*, and shall have a maximum *setback* of 3.5m from the *dwelling face*, but not including the *porch* or *veranda* face, for the width of the habitable space.

#### 6.3.1.2 Semi-Detached Dwellings:

- i) In no case shall any two (2) facing walls having a *height* of up to 3.0m be closer than 1.2m apart;
- ii) In no case shall any two (2) facing walls having a *height* of over 3.0m be closer than 1.8m apart;
- iii) The *building face* shall have a minimum *dwelling face* of 4.0m, OR;
- iv) The *dwelling face* must be a minimum of 40% of the *main floor building face*, and;
- v) In the case of iv) above, the following provisions shall also apply:
  - a) The *dwelling face* shall project 1.5m closer to the *street line* than the *garage face*;
  - b) Habitable space must be provided above the *main floor*, which is the floor closest to *grade*, and shall have a maximum *setback* of 3.5m from the *dwelling face*, but not including the *porch* or *veranda* face, for the width of the habitable space, OR;

- c) The *garage faces* of two dwellings shall be separated by adjoining *dwelling faces* that have a minimum combined *dwelling face* of 4.9m, and the *dwelling faces*, not including the *porch* or *veranda* faces, shall project a minimum 3.5m closer to the *street line* than the *garage face*.

#### 6.3.1.3 **Townhouses:**

- i) *Townhouse dwellings* shall contain a maximum of eight *dwelling units*. Each *dwelling unit* shall have an independent entrance from the outside, and shall be provided access to the *rear yard* by one of the following:
  - a) *rear yard* access through non-habitable space;
  - b) *rear yard* access by way of a minimum 1.2m external access easement, or;
  - c) *rear yard* access through a condominium common element area.
- ii) In no case shall any two (2) facing walls having a *height* of up to 3.0m be closer than 1.2m apart;
- iii) In no case shall any two (2) facing walls having a *height* of over 3.0m be closer than 1.8m apart;
- iv) The *building face* shall have a minimum *dwelling face* of 3.5m, OR;
- v) The *dwelling face* must be a minimum of 40% of the *main floor building face*, and;
- vi) In the case of iv) above, the following shall also apply:
  - a) The *dwelling face* of the end units only shall project 1.5m closer to the *street line* than the *garage faces* of all *interior* units in the row, and habitable space must be provided above the *main floor*, which is the floor closest to *grade*, and shall have a maximum *setback* of 3.5m from the *dwelling face*, , but not including the *porch* or *veranda* face, for the width of the habitable space.

#### 6.3.2 **Street Front Treatment of Residential Buildings in the RLD1 zone (081-2020)**

All residential *buildings* in the RLD1 *zone* must comply with the following *street front* treatment provisions:

- i) The *dwelling face* must be a minimum of 50% of the *building face*.
- ii) In addition to the requirements of Section 4.2.2, the following additional regulations shall apply to *attached* and *detached garages* and *carports*:
  - a) for a *garage* or *carport* where the width of the *garage face* or front of the carport is less than or equal to 3.5m, the *garage face* or front of the *carport* shall be setback a minimum of 3.5m from the *building front wall*.



- b) for a *garage* or *carport* where the width of the *garage face* or front of the carport is greater than 3.5m, the *garage face* or front of the carport shall be setback a minimum of 5.5m from the *building front wall*.
- c) The provisions of Subsection 6.3.2.ii) shall not apply to lots with a front yard abutting Maiden Lane.

### **6.3.3 Street Front Treatment of Residential Buildings in the RLD2 Zone (077-2021)**

All residential buildings in the RLD2 zone must comply with the following street front treatment provisions:

- i) The dwelling face must be a minimum of 50% of the building face.
- ii) In addition to the requirements of Section 4.2.2, the following additional regulations shall apply to attached and detached garages and carports:
  - a) For attached garages, the garage face may extend beyond the building front wall of the first storey by a maximum of 1.8 metres provided that a front porch/veranda is constructed with a minimum depth of 1.2 metres.
  - b) For detached garages and attached or detached carports, the garage face or front of the carport shall be setback a minimum of 1.5 metres from the building front wall.

### **6.3.4 Street Front Treatment of Residential Buildings in the RLD6 and RLD7 Zones (007-2022)**

All residential *buildings* in the RLD6 and RLD7 zones must comply with the following *street* front treatment provisions:

- i) In addition to the requirements of Section 4.2.2, the following additional regulations shall apply to *attached* and *detached garages* and *carports*:
  - a) For *attached garages*, the *garage face* may extend beyond the *building front wall* of the *first storey* by a maximum of 1.8 metres provided that a front *porch/veranda* is constructed with a minimum depth of 1.2 metres.
  - b) For *detached garages* and *attached* or *detached carports*, the *garage face* or front of the *carport* shall be *setback* a minimum of 1.5 metres from the *building front wall*.

### **6.3.5 Special Back-to-Back Townhouse Provisions**

Notwithstanding any other provision to the contrary, where *back-to-back townhouses* are permitted the following provisions shall apply:

- i) *Back-to-Back townhouses* shall contain a minimum of 6 *dwelling* units per *building* to a maximum of 16 *dwelling* units per *building*.

#### **6.3.5.1 Air Conditioners and Heat Pumps**

Air conditioning and heat exchange units shall be permitted in an *interior side yard*. For *dwellings* that do not have an *interior side yard*, air conditioning and heat exchange units may be located in a *front yard* or *exterior side yard*. In addition, such units are permitted to encroach up to 0.6m into a *required yard*.

#### **6.3.5.2 Balconies (113-2017)**

- i) Balconies are permitted in the exterior side yard and front yard;
- ii) *Balconies* may encroach to a maximum of 2.0m into the *required exterior side yard* and up to a maximum of 2.5m into the *required front yard*;
- iii) Notwithstanding the foregoing, a *balcony* located on top of a *porch / veranda* may encroach to the same extent and may include vertical supports;
- iv) Notwithstanding the above, a balcony shall be no closer than 1.0 metre to the property line.

#### **6.3.5.3 Porches / Verandas (38-2019)**

- i) Porches / Verandas are permitted in the exterior side yard and front yard;
- ii) *Porches / Verandas* are permitted to encroach up to 60% of the *required exterior side yard*, but at no time shall be closer than 1.0m to the *property line*;
- iii) *Porches / Verandas* are permitted to encroach up to 60% of the *required front yard*, but at no time shall be closer than 1.0m to the *property line*.

#### **6.3.5.4 Encroachments of Bay or Boxed Windows into Required Yards**

*Bay* or *boxed windows* may encroach into a *required yard* up to a maximum of 0.6m for a width of up to 4.0m.

## SECTION 7 COMMERCIAL ZONES

No person shall within any Commercial Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

### 7.1 PERMITTED USES (102-2015)(095-2017)(38-2019)(058-2019)(117-2019)(056-2022)

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted use. A number(s) following the symbol ‘•’, Zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted Use Table.

**TABLE 7A**

Permitted Uses	Central Business District			
	CBD-A Core Commercial	CBD-B Secondary Commercial	UGC-MU Urban Growth Center – Mixed Use	UGC-MU-2 Urban Growth Center – Mixed Use - 2
<b>Residential Uses</b>				
<i>Apartment Building</i>	• (*1)(*3)	• (*3)	• (*1)(*8)(*9)(*11)	
<i>Dwelling, Back-To-Back Townhouse</i>			• (*1)(*8)(*10)	
<i>Dwelling, Live-Work Unit</i>			• (*1)(*8)	
<i>Dwelling, Multiple</i>			• (*1)(*8)(*9)(*10)	
<i>Dwelling, Stacked Townhouse</i>			• (*1)(*8)(*10)	
<i>Dwelling, Retirement</i>	• (*1)(*3)	• (*3)	• (*1)(*8)(*9)	
<i>Guest Suite</i>			• (*1)(*8)	
<i>Upper-Floor Dwelling Units</i>	• (*3)	• (*3)	•	
<i>Shared Housing (*7)</i>	• (*1)(*3)	• (*3)	• (*1)(*8)	
<i>Short-Term Rental (*8)</i>	• (*1)(*3)	• (*3)	•	
<b>Non-Residential Uses</b>				
<i>Art gallery</i>	•	•	•	•
<i>Artist’s studio</i>	•	•	•	•
<i>Bank</i>	•	•	• (*12)	•
<i>Banquet Facility</i>			• (*6)	• (*6)
<i>Commercial school – Skill</i>	•	•	•	•
<i>Community Center</i>			•	•
<i>Convenience store</i>	•	•	• (*12)	•
<i>Day Care Centre</i>	• (*3)	• (*3)	•	

Permitted Uses	Central Business District			
	CBD-A Core Commercial	CBD-B Secondary Commercial	UGC-MU Urban Growth Center – Mixed Use	UGC-MU-2 Urban Growth Center – Mixed Use - 2
Department Store			• (*12)	
Drive-Through Service Facility			• (*5)	• (*5)
Dry cleaning depot	•	•	• (*12)	•
Elementary School			•	
Fitness Centre	•	•	•	•
Food Bank			•	•
Food Store			• (*12)	
Funeral Home	•	•	•	
Home Day Care			•	
Home Occupation			•	
Hospital, Public or Private			•	
Hotel	• (*6)(*3)	• (*6)(*3)	• (*6)	
Laundromat	•	•	•	•
Library			•	•
Long-Term Care Facility			•	
Medical Clinic	•	•	•	•
Mixed Use Building			• (*9)(*11)(*13)	
Night Club			• (*4)(*6)	• (*4)(*6)
Office Use	•	•	•	•
Office Building	•	•	•	•
Parks - Public			•	•
Personal service shop	•	•	• (*12)	•
Place of assembly	• (*3)	• (*3)	•	
Place of entertainment			• (*6)	• (*6)
Place of Worship			• (*6)	
Private Transit Depot			•	•
Propane Facility, Retail				
Recreation and Athletic Facility			•	•
Restaurant	•	•	• (*12)	•
Restaurant, Take Out	•	•	• (*12)	•
Retail Store 1	•	•	• (*12)	•
Retail Store 2	•	•	• (*12)	•
School, Adult Education	•	•	•	•
School, Post-Secondary			•	
School, Secondary			•	
Service Retail Outlet	•	•	•	•
Social Services Establishment	•	•	•	•
Specialty Food Store			• (*12)	
Theatre	• (*6)	• (*6)	• (*6)	• (*6)
Veterinary Clinic – Small Animal	•	•	• (*2)	• (*2)
Veterinary Clinic – Large Animal	•	•	•	•

Footnotes for Table 7A Above

- (\*1) Not permitted on the *first storey* of a *building* where identified as *Active Frontage* in accordance with Schedule E and not permitted to occupy more than 40% of the *building front wall* on the *main floor* of a *building* where identified as *Active Frontage* in accordance with Schedule E1.
- (\*2) Only permitted in the first storey of a building.
- (\*3) Not permitted within Natural Heritage System — Special Policy Area (NHS—SPA) as depicted on Schedule A.
- (\*4) Shall not be permitted on properties abutting residential zones.
- (\*5) Drive-Through Service Facilities are only permitted within the C1-C, C1-E, and C1-F Zones in Zoning By-law 144-2003, as amended, until such time as the OMB appeals (Case No. PL140294) are resolved or withdrawn.
- (\*6) Notwithstanding any other section of this by—law, this use is subject to the parking requirements set out in Section 5.8.2 ii), Table 5G (102-2015)
- (\*7) *Shared Housing* is permitted within any dwelling unit that is permitted in the zone.
- (\*8) *Short-Term Rental* is permitted within any *dwelling unit* that is permitted in the zone (056-2022)
- (\*8) Not permitted to replace an existing non-residential *building* as a stand alone residential building (089-2022).
- (\*9) A minimum of 4 square metres per *dwelling unit* of outdoor communal *amenity area* shall be provided at *grade* and/or as a rooftop *amenity area* on the *podium* and shall be maintained and operated by a common entity (such as a condominium corporation). This outdoor communal *amenity area* shall be aggregated into areas of not less than 50 square metres and have a minimum width of 6.0 metres.
- (\*10) A minimum density of 100 units per net hectare and a common underground *parking structure* containing a minimum of 80% of the required parking is required
- (\*11) Where residential and/or non-residential *uses* are located on the *first storey* of an *apartment building* or *mixed use building*, a minimum of one principal *building* entrance to each *dwelling unit* and *use* shall be directly accessible from, and oriented towards, a *public street*.
- (\*12) Only permitted on the *first storey* of a multi-storey *Mixed-use Building* with at least one principal entrance accessible from a *public street*, or in a stand-alone *building* with a maximum *gross floor area* of 500 square metres.
- (\*13) Where a *Mixed Use Building(s)* will replace an existing non-residential *building* on the same *lot*, the replacement *building* or *buildings* must contain one or more permitted non-residential *use(s)* with the same or greater *gross floor area* as the existing non-residential *use* or, where a lesser non-residential *gross floor area* is proposed, the *gross floor area* of the permitted non-residential *use(s)* must be sufficient to accommodate a similar number of jobs as the existing non-residential *use(s)* on the *lot*.

**TABLE 7B**

Permitted Uses	Other Commercial Zones				
	C2 Secondary Mixed Use Commercial	C3 Local Commercial	C5 Auto Commercial	C6 Business Commercial	MC Major Commercial
<b>Residential Uses</b>					
Upper Floor Dwelling Units					
RV					
<b>Non Residential Uses</b>					
Art gallery	•				
Artist's studio	•	•		•	•
Bank	•	•		•	•
Building Supply Outlet					•
Commercial school – Skill	•	•		•	•
Commercial School –Trade / Profession			•	•	
Convenience store	•	•	•	•	•
Convention Centre					•
Day Care Centre	•	•			•
Department Store					•
Dog Daycare	•		•	•	•
Drive-Through Service Facility	•	•	•	•	•
Dry cleaning depot	•	•		•	•
Dry cleaning establishment					
Fitness Centre	•				•
Food Store	•				
Funeral Home	•				
Hotel			•	•	•
Medical Clinic	•	•			•
Motor vehicle Dealership			•	•	
Motor vehicle gas bar	•		•	•	
Motor vehicle rental agency	•		•	•	
Motor Vehicle repair garage			•		
Motor vehicle service station			•	•	
Motor vehicle washing establishment	•		•	•	
Office Use	•	•		•	•
Personal service shop	•	•		•	
Place of assembly	•				
Place of entertainment	•				•
Private Transit Depot			•	•	
Propane Facility, Retail	•		•	•	
Recreation and Athletic Facility					
Restaurant	•	•	•	•	•
Restaurant, Take Out	•	•	•	•	•
Retail Store 1	•	• (*1)		• (*1)	
Retail Store 2	•				•
Retail Store 3	•				•
School, Adult Education	•	•		•	•
Theatre	•				•
U-Brew Establishment	•				
Veterinary Clinic – Small Animal	•	•		•	•

Permitted Uses	Other Commercial Zones				
	C2 Secondary Mixed Use Commercial	C3 Local Commercial	C5 Auto Commercial	C6 Business Commercial	MC Major Commercial
<i>Veterinary Clinic – Large Animal</i>	•	•		•	
<i>Warehouse Membership club</i>					•

Footnotes for Table 7B Above

(\*1) Retail Store 1 is permitted to have a *Gross Floor area* of no more than 464.5m<sup>2</sup> and shall only be permitted in a development having a minimum of 3 units.

## 7.2 ZONE STANDARDS

A number(s) following the *Zone* standard, *Zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Section 7.2.

No person shall within any Commercial *Zone* use any *lot* or erect, alter, use any *building* or *structure* except in accordance with the following:

**TABLE 7C**

<b>Central Business District</b>		
<b>Regulations</b>	<b>Zones</b>	
	<b>CBD-A</b>	<b>CBD-B</b>
	Core Commercial	Secondary Commercial
<b>Lot Frontage</b> (Minimum)	0.0m	20.0m
<b>Lot Area</b> (Minimum)	No minimum	800m <sup>2</sup>
<b>Lot Coverage</b> (Maximum)	100%	30%
<b>Setbacks</b>		
<b>Front Yard</b>		
Minimum	0.0m	0.0m
Maximum	2.5m	4.5m
<b>Interior Side Yard</b>	0.0m	1.5m
<b>Exterior Side Yard</b>		
Minimum	0.0m	0.0m
Maximum	1.0m	4.5m
<b>Rear Yard Setback</b> Minimum		
Abutting a <i>Residential Zone</i>	0.0m	9.5m
<b>Building Height</b>		
Minimum		
Maximum	See <i>Height Schedule</i>	See <i>Height Schedule</i>
<b>Landscaped Open Space</b>		
% of <i>Lot Area</i> (Minimum)	0%	20%
<b>Landscape Buffer</b> (Minimum)		
Abutting a <i>street line</i>	0.0m	0.0m
Abutting a <i>Residential Zone</i>	3.0m	3.0m

Footnotes to Table 7C Above

(\*1) Where abutting a residential zone, a shadow analysis shall be provided.

(\*2) The 5<sup>th</sup> storey is to be setback 1.5m from the building wall facing a street line.



TABLE 7C-1

<b>Central Business District – Urban Growth Centre/Major Transit Station Area</b>		
<b>Regulations</b>	<b>Zones</b>	
	<b>UGC- MU</b>	<b>UGC-MU-2</b>
	Urban Growth Centre - Mixed Use	Urban Growth Centre - Mixed Use 2
<b>Lot Frontage</b> (Minimum)	50.0m	50.0m
<b>Lot Area</b> (Minimum)	3500m <sup>2</sup>	3500m <sup>2</sup>
<b>Lot Coverage</b> (Maximum)	70%	70%
<b>Floor Space Index (*1)(*2)</b>		
Minimum	See Density Schedule (*3)	See Density Schedule
Maximum	See Building Heights Schedule	See Building Heights Schedule
<b>Setbacks</b>		
<b>Front Yard</b>		
South side of Main Street East		
Minimum	6.0m (*4)	N/A
Maximum	9.0m (*4)	N/A
East side of Ontario Street South and west side of Thompson Road North		
Minimum	4.5m (*5)	N/A
Maximum	7.5m (*5)	N/A
Other streets in <i>Active Frontage Areas</i>		
Minimum	0.0m (*6)	0.0m (*6)
Maximum	3.0m (*6)	3.0m (*6)
All other streets		
Minimum	2.0m (*6)	2.0m (*6)
Maximum	5.0m (*6)	5.0m (*6)
<b>Interior Side Yard</b>		
Minimum	1.8m	3.0m
	Floors 9 and above: 12.5m	
<b>Exterior Side Yard</b>		
Abutting south side of Main Street East		
Minimum	6.0m (*4)	N/A
Maximum	9.0m (*4)	N/A
All other streets		
Minimum	3.0m (*6)	3.0m
Maximum	5.5m (*6)	5.5m

<b>Central Business District – Urban Growth Centre/Major Transit Station Area</b>		
<b>Regulations</b>	<b>Zones</b>	
	<b>UGC- MU</b>	<b>UGC-MU-2</b>
	Urban Growth Centre - Mixed Use	Urban Growth Centre - Mixed Use 2
<p><b>Rear Yard</b> <i>Abutting a Residential Zone</i></p> <p>Minimum</p>	<p>7.5m (*7) Floors 1 to 3: 7.5m Floor 4: 10.5m Floor 5: 13.5m Floor 6: 16.5m</p>	<p>12.0m (*7)</p>
<p>North side of Main Street East between Ontario Street North and Thompson Road North</p> <p>Minimum</p>	<p>20.0m (*7) Floors 1 to 6: 20.0m Floor 7: 23.0m Floor 8: 26.0m</p>	<p>N/A</p>
<b>Building Height</b>	See <i>Height Schedule</i> (*8) (*9) (*10)	See <i>Height Schedule</i> (*8) (*9)
<b>Tower Controls</b>	<p>Each <i>tower</i> must be separated a minimum of 25.0 metres from any other <i>tower</i> located on the same <i>lot</i>, measured horizontally from the <i>main wall</i> of one <i>tower</i> to the other, projecting <i>balconies</i> excepted.</p> <p>Any <i>tower</i> portion of a <i>building</i> between a <i>height</i> of 9 <i>storeys</i> and 15 <i>storeys</i> inclusive must not exceed a <i>floor plate area</i> of 1,000 square metres on the <i>lot</i>.</p> <p>Any <i>tower</i> portion of a <i>building</i> above a <i>height</i> of 15 <i>storeys</i> must not exceed a <i>floor plate area</i> of 750 square metres or 40 linear metres measured diagonally on the <i>lot</i>.</p>	
<b>Landscaped Open Space</b> % of <i>Lot Area</i> (Minimum)	15%	15%
<b>Landscape Buffer</b> (Minimum) <i>Abutting a street line</i> <i>Abutting a Residential Zone</i>	0.0m 4.5m	0.0m 4.5m

Footnotes to Table 7C-1

(\*1) Does not apply to an elementary, secondary or post-secondary school.

- (\*2) Where development proceeds on the basis of individual development envelopes on a portion of the Zone or lot, the development density standards shall be calculated on the basis of the area of each individual development envelope rather than on the basis of the area of the entire lot.
- (\*3) For *Dwelling, Back to Back Townhouse; Dwelling, Multiple; and Dwelling Stacked Townhouse* the minimum density shall be 100 units per net hectare.
- (\*4) A minimum *step back* of 10 metres is required above a *height* of 19.5 metres or 6 storeys.
- (\*5) A minimum step back of 3 metres is required above a height of 19.5 metres or 6 storeys.
- (\*6) A minimum step back of 1.5 metres is required above a height of 13.5 metres or 4 storeys.
- (\*7) Where abutting a residential zone, a sun shadow analysis shall be provided.
- (\*8) Minimum height of a non-residential first storey (measured from top-of-slab to top-of-slab) of a mixed used building is 4.5 metres.
- (\*9) Multiple towers on the same lot shall have a height difference of at least 4 storeys and 12.0 metres between the height of the tallest tower and the shortest tower on the lot.
- (\*10) A pedestrian impacts wind study shall be provided for buildings greater than 8 storeys or 25.5 metres in height.

**TABLE 7D (38-2019)**

<b>Other Commercial Zones</b>					
<b>Regulations</b>	<b>Zones</b>				
	<b>C2</b>	<b>C3</b>	<b>C5</b>	<b>C6</b>	<b>MC</b>
	Secondary Mixed Use Commercial	Local Commercial	Auto Commercial	Business Commercial	Major Commercial
<b>Lot Frontage</b> (Minimum)	60.0m	40.0m	100.0m	40.0m	40.0m
<b>Lot Area</b>					
Minimum	1200m <sup>2</sup>	850m <sup>2</sup>	4000m <sup>2</sup>	850m <sup>2</sup>	0.8ha
Maximum	4.7ha	3000m <sup>2</sup>	No Maximum	3000m <sup>2</sup>	No Maximum
<b>Lot Coverage</b> (Maximum)	30%	30%	20%	30%	45%
<b>Setbacks</b>					
<b>Front Yard</b>					
Minimum	4.5m (*1)	1.0m	4.5m (*1)	3.0m (*1)	5.0 m
Maximum	6.0m (*1)	5.0m	No Maximum	No Maximum	No Maximum
<b>Interior Side Yard</b>					
Minimum	6.0m (*1)	6.0m	3.0m (*1)	6.0m (*1)	5.0m (*3) (*4)
<b>Exterior Side Yard</b>					
Minimum	4.5m (*1)	1.0m	4.5m (*1)	3.0m (*1)	5.0m (*4)
Maximum	6.0m (*1)	5.0m	No Maximum	No Maximum	No Maximum
<b>Rear Yard</b>					
Minimum	4.5m (*1)	6.0m	12.0m	6.0m (*1)	6.0m (*3) (*4)
<b>Gross Floor Area</b>					
<b>For All Buildings Combined</b>					
Minimum	9300m <sup>2</sup>	No Minimum	N / A	No Minimum	N / A
Maximum	13935m <sup>2</sup>	930m <sup>2</sup>	N / A	930m <sup>2</sup>	N / A
<b>For Individual Buildings</b>					
Minimum	370m <sup>2</sup>	No Minimum	N / A	No Minimum	N / A
Maximum	5575m <sup>2</sup>	930m <sup>2</sup>	N / A	930m <sup>2</sup>	N / A
<b>Building Height</b> (Maximum)	9.5m	11.0m	9.5m	11.0m	15.0m
<b>Landscaped Open Space</b>					
% of Lot Area (Minimum)	15%	15%	15%	15%	15%
<b>Minimum Landscape Buffer</b>					
Abutting a street line	4.5m	1.0m	4.5m	3.0m	5.0m
Abutting a Residential Zone	4.0m	4.0m	6.0m	4.0m	6.0m
Abutting a Provincial Highway	7.5m (*2)	7.5m (*2)	7.5 m (*2)	7.5m (*2)	6.0m (*2)

Footnotes for Table 7D Above

- (\*1) Notwithstanding the setback provisions for buildings, fuel pump islands and weather canopies must be setback a minimum of 7.5m from any lot line.
- (\*2) Notwithstanding any provision to the contrary, a required landscape buffer abutting a Provincial Highway shall be located outside of MTO required setbacks.
- (\*3) Where a Major Commercial Zone abuts a Residential Zone the minimum setback shall be 9.0m.
- (\*4) Where a Major Commercial Zone abuts a Provincial Highway the minimum setback shall be 14.0m.

## SECTION 8 EMPLOYMENT ZONES

No person shall within any of the following Employment Zones use any land, or erect, alter or use any *building* or *structure* except in accordance with the following provisions

### 8.1 PERMITTED USES

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted use. A number(s) following the symbol ‘•’, Zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted Use Table.

**TABLE 8A** (38-2019)(047-2020)

Permitted Uses	ZONES				
	EMP-1	EMP-2	M1	M2	MX
	Prestige Office	Employment	Business Park	General Industrial	Extractive Industrial
<b>Non-Residential Uses</b>					
<b>Adult Entertainment Uses</b>					
<i>Adult Entertainment Parlour</i>				• (*1)	
<i>Adult Specialty Store</i>				• (*1)	
<i>Adult Video Store</i>				• (*1)	
<i>Body Rub Parlour</i>				• (*1)	
<b>Other Non-Residential Uses</b>					
<i>Animal training facility</i>			• (*2)	• (*3)	
<i>Aggregate recycling facility</i>				• (*4)	•
<i>Agricultural operation</i>					•
<i>Asphalt Batching Plant</i>					
<i>Bank</i>	• (*10)	•			
<i>Banquet Facility</i>		•			
<i>Building supply outlet</i>				• (*4)	
<i>Bulk fuel depot</i>				• (*1)(*4)	
<i>Bulk propane storage depot</i>				• (*1)(*4)	
<i>Cannabis Production and Processing Facility</i>		• (*12)	• (*12)	• (*12)	• (*12)(*14)
<i>Commercial School-- Skill</i>		•	•	•	
<i>Commercial School-- Trade / Profession</i>		•	•	•	
<i>Commercial storage facility</i>				• (*4)	
<i>Concrete Batching Plant</i>				• (*4)	
<i>Conservation use</i>					•

Permitted Uses	ZONES				
	EMP-1	EMP-2	M1	M2	MX
	Prestige Office	Employment	Business Park	General Industrial	Extractive Industrial
Contractor's Yard				• (*4)	
Convenience store	• (*10)	• (*5)	• (*5)		
Convention centre		•	•		
Day Care Centre	• (*10)	•	•		
Dog Daycare		•	•	•	
Dry cleaning depot	• (*10)	• (*10)	•		
Dry cleaning establishment			•	•	
Equipment sales and rental				• (*13)	
Extractive use					•
Fitness centre	• (*10)	• (*10)	•		
Food Bank		•	•	•	
Forestry use					•
Funeral home			•		
Hotel		•	•		
Industrial use (*7)		• (*6)(*7)	• (*6)(*7)	• (*4)(*7)	
Medical Clinic	• (*11)	•	•		
Monument Sales Shop				• (*4)	
Motor Vehicle Body Shop				• (*4)	
Motor Vehicle Dealership				•	
Motor Vehicle Rental Agency			•	•	
Motor Vehicle Repair Garage				• (*4)	
Motor vehicle washing establishment				•	
Office Building	•	•	•		
Office Use	•	•	•	• (*8)(*9)	
Outdoor Storage use				•	
Personal Service Shop	• (*10)	• (*10)			
Place of Assembly		•	•		
Place of entertainment		•	•		
Place of Worship		•	•		
Private Transit Depot				•	
Recreation and athletic facility		•	•		
Recycling facility				• (*4)	
Research & Technology Use	• (*8)	•	•	• (*8)	
Restaurant	• (*10)	• (*5)	• (*11)		
Restaurant, Take out	• (*10)	• (*5)			
School, Adult Education		•	•	•	
Service and repair shop				•	
Social Services Establishment		•			
Towing Yard				•	
Transportation Terminal				• (*4)	

Permitted Uses	ZONES				
	EMP-1	EMP-2	M1	M2	MX
	Prestige Office	Employment	Business Park	General Industrial	Extractive Industrial
<i>U-Brew Establishment</i>		•	•	•	
<i>Veterinary Clinic- Small Animal</i>		•	•	•	
<i>Veterinary Clinic – Large Animal</i>		•	•	•	
<i>Veterinary Hospital – Small Animal</i>		•	•	•	
<i>Warehouse/distribution centre</i>		•	•	• (*4)	
<i>Wholesale Operation</i>			• (*7)		

Footnote(s) to Table 8A Above

- (\*1) Permitted only on *lots* located north of Highway 401;
- (\*2) Notwithstanding any other provision of this By-law, *Animal Training Facilities* are only permitted within a wholly enclosed one-storey, free-standing or multi-unit *building*, but shall not be permitted in an *Office Building*. No outdoor training facilities are permitted.
- (\*3) Except as otherwise provided herein, outdoor facilities for the training of domestic animals shall only be permitted *accessory* to a permitted *Animal Training Facility* provided the land area used for the outdoor training facility maintains the minimum *yard setbacks* of the Zone, and is located no closer than 120.0m from any *lot* used for residential purposes.
- (\*4) *Outdoor storage* is permitted *accessory* to a permitted *industrial use* subject to the required *setbacks* and *lot coverage* provisions applicable to the principal use.
- (\*5) Permitted only in the *first storey* of an *office building* or as an *accessory use* to a *hotel, fitness centre, or recreation and athletic facility*.
- (\*6) Only industrial operations within a wholly enclosed *building* are permitted. No *outdoor storage* is permitted.
- (\*7) Up to a maximum of 5% of the *gross floor area* of the *principal use* or 232.3m<sup>2</sup>, whichever is less, may be used for the *retail* sale of goods or products produced on the *premises*.
- (\*8) *Office uses* and *research and technology uses*, excluding *uses* which produce *biomedical waste*, are permitted within a designated *Industrial Zone*, provided that they are located within a one to two *storey Multi-Unit building*. A *Multi-Unit building* shall not include an *Office Building*.
- (\*9) Except as otherwise provided herein, an *office use* shall only be permitted *accessory* to a principal use in the M2 Zone and shall be limited to 25% of the *gross floor area*.
- (\*10) Permitted only in the *first storey* of an *office building*.
- (\*11) Permitted only as part of a light industrial, *office* or mixed use *building*, including an industrial mall.
- (\*12) A *Cannabis Production and Processing Facility* must comply with the special employment provisions of Section 8.3.2.
- (\*13) Outdoor display is permitted subject to the provisions outlined in Section 4.16.
- (\*14) Zone standards for a *Cannabis Production and Processing Facility* shall be in accordance with the M2 Standards contained in Table 8B.

## **8.2 ZONE STANDARDS**

A number(s) following the *Zone* standard, *Zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Section 8.2.

No person shall within any of the following Employment *Zones* use any *lot* or erect, alter, use any *building* or *structure* except in accordance with the following *Zone* provisions:



**TABLE 8B**

Regulations	ZONES				
	EMP-1	EMP-2	M1	M2	MX
	Prestige Office	Employment	Business Park	Industrial	Extractive Industrial
<b>Lot Frontage</b> (Minimum)	15.0m	40.0m	40.0m	40.0m	IN ACCORDANCE WITH THE SITE PLANS APPROVED UNDER THE AGGREGATE RESOURCES ACT
<b>Lot Area</b> (Minimum)	N/A	0.8 ha	0.8 ha	0.8 ha	
<b>Gross Floor Index</b> (Minimum)	1.5	N/A	N/A	N/A	
<b>Lot Coverage</b> (Minimum)	N/A	N/A	N/A	40% (*3)	
<b>Lot Coverage</b> (Maximum)					
With Municipal Servicing	No Maximum	No Maximum	No Maximum	No Maximum	
Without Municipal Servicing	35%	35%	35%	35%	
<b>Setbacks</b> (Minimum)					
<b>Front Yard</b>					
Minimum	0.0m	6.0m	9.0m	9.0m	
Maximum	4.0m	N/A	N/A	N/A	
<b>Interior Side Yard</b>	3.0m	3.0m (*1)	3.0m (*1)	3.0m (*1)	
<b>Exterior Side Yard</b>					
Minimum	0.0m	5.0m	9.0m	9.0mN/A	
Maximum	4.0m	N/A	N/A		
<b>Rear Yard</b>	3.0m	6.0m (*1)	12.0m (*2)	12.0m (*2)	
<b>Building Height</b> (Maximum)		15.0m	15.0m	15.0m	
<b>Landscaped Open Space</b>	5%				
% of Lot Area (Minimum)		15%	10%	5%	
<b>Landscape Buffer</b> (Minimum)	N/A				
Abutting a street line		5.0m	4.5m	4.5m	
Abutting a James Snow Parkway street line	2.0m				
Abutting a Residential Zone	N/A	N/A	N/A	N/A	
Abutting a Provincial Highway	N/A	6.0m	6.0m	6.0m	
		6.0m	4.5m	4.5m	

Footnote(s) To Table 8B Above

- (\*1) Notwithstanding the above, where any Employment Zone abuts a Residential Zone the minimum setback required shall be 9.0m.
- (\*2) Notwithstanding the above, where any Employment Zone abuts a Residential Zone the minimum setback required shall be 18.0m.
- (\*3) Notwithstanding any other provision of this by-law, any property containing a transportation terminal use shall be subject to this requirement, excluding outdoor storage that may be permitted by this by-law.”

### **8.3 SPECIAL EMPLOYMENT PROVISIONS**

#### **8.3.1 Adult Entertainment Uses**

The following provisions apply to all adult entertainment uses, including: adult entertainment parlour, adult video stores, adult specialty stores and body rub parlours.

- i) The minimum *setbacks* for *adult entertainment uses* from the *uses* listed below shall be in accordance with the following:
  - a) Arterial Road or *Provincial Highway*: 100m;
  - b) Residential or Institutional *Uses*: 500m;
- ii) Only one *Adult Entertainment Use* is permitted per *lot* unless an *Adult Video Store* is operated in conjunction with an *Adult Specialty Store*;
- iii) *Adult Video Stores, Adult Specialty Stores* and *Body Rub Parlours* must not exceed 15% of the *gross floor area* of any multi unit *building* in which they are located;
- iv) An *Adult Entertainment Parlour* must be located within a free-standing, single *storey building* with no mezzanine and must be the sole *use* within the *building*;
- v) *Accessory uses* are not permitted in conjunction with any *adult entertainment use*;
- vi) A “Body Rub Parlour” may also be permitted as an *accessory use* to a “*Regulated Health Professional*” *office* provided such *accessory use* does not exceed a maximum of 30% of the total *gross floor area* of the “*Regulated Health Professional*” *office*, and provided that the business access shall only be from an entrance in common with the principal “*Regulated Health Professional*” *office*; and,
- vii) See parking requirements in section 5.12.

#### **8.3.2 Cannabis Production and Processing Facility Uses (047-2020)**

The following provisions apply to Cannabis Production and Processing Facility Uses.

- i) The facility shall be the only principal use permitted on the *lot* on which it is located;
- ii) The facility operations, with the exception of growing and harvesting, shall be located within in a wholly enclosed *building*;
- iii) *Outdoor storage* is not permitted;
- iv) The minimum *setbacks* for a *Cannabis Production and Processing Facility*, from the zones or *uses* listed below, shall be in accordance with the following:
  - a) From a Residential, Institutional, or Open Space Zone: 70 m;
  - b) From a Residential or Institutional Use: 70 m;

- v) Notwithstanding any provisions of this by-law to the contrary, an accessory building or structure used for security purposes for a *Cannabis Production and Processing Facility* is permitted in any yard and shall not be subject to required setbacks.

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## SECTION 9 INSTITUTIONAL ZONES

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No person shall within any Institutional *Zone* use any land, or erect, alter or use any *building* or *structure* except in accordance with the following provisions.

### 9.1 PERMITTED USES

Uses permitted in a *Zone* are noted by the symbol ‘•’ in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use*. A number(s) following the symbol ‘•’, *Zone* heading or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed below the Permitted *Use* Table.

**TABLE 9A** (38-2019)(058-2019)

Permitted <i>Uses</i>	ZONES	
	I-A	I-B
	Institutional Minor	Institutional Major
<b>Residential <i>Uses</i></b>		
<i>Dwelling, Retirement</i>	•	•
<b>Non-Residential <i>Uses</i></b>		
<i>Community Centre</i>		•
<i>Day Care Centre</i>	•	•
<i>Elementary School</i>	•	•
<i>Hospital, Public or Private</i>		•
<i>Library</i>	•	•
<i>Place of worship</i>	•	•
<i>Post Secondary School</i>		•
<i>Public Park</i>	•	•
<i>School, Adult Education</i>	•	•
<i>School, Secondary</i>		•

**9.2 ZONE STANDARDS**

A number(s) following the *Zone* standard, *Zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Section 9.2.

No person shall within any Institutional *Zone* use any *lot* or erect, alter, use any *building* or *structure* except in accordance with the following *Zone* provisions:

**TABLE 9B**

Regulations	ZONES	
	I-A	I-B
	Institutional Minor	Institutional Major
<b>Lot Frontage</b> (Minimum)	50.0m	150.0m
<b>Lot Area</b>		
<b>Elementary School</b>		
Minimum	1.0 ha	3.0 ha
Maximum	4.0 ha	No maximum
<b>All other Uses</b>		
Minimum	1.0 ha	3.0 ha
Maximum	3.0 ha	No maximum
<b>Lot Coverage</b> (Maximum)	30%	30%
<b>Setbacks</b> (Minimum)		
<i>Front Yard</i>	3.0m	9.0m
<i>Interior Side Yard</i>	6.0m <b>(*1)</b>	6.0m <b>(*2)</b>
<i>Exterior Side Yard</i>	3.0m	9.0m
<i>Rear Yard</i>	7.5m <b>(*1)</b>	7.5m <b>(*2)</b>
<b>Building Height</b> (Maximum)	12.5 m	36m
<b>Landscaped Open Space</b>		
% of <i>Lot Area</i> (Minimum)	20%	20%
<b>Landscape Buffer</b> (Minimum)		
<i>Abutting a street line</i>	3.0m	4.5m
<i>Abutting a Residential Zone</i>	4.0m	4.0m

Footnote(s) to Table 9B

(\*1) Where an I-A *Zone* *abuts* a residential *Zone*, an additional 3.0m *setback* shall apply.

(\*2) Where an I-B *Zone* *abuts* a residential *Zone*, an additional 6.0m *setback* shall apply

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**SECTION 10**

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**SECTION NOT IN USE.**

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## SECTION 11 NATURAL HERITAGE AND OPEN SPACE ZONES

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No person shall within any Natural Heritage, Open Space or Golf Course Zones use any land, or erect, alter or use any *building* or *structure* except in accordance with the following provisions:

### 11.1 PERMITTED USES

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted use. A number(s) following the symbol ‘•’, Zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted Use Table.

TABLE 11A

Permitted Uses	ZONES			
	NHS	OS	OS-2	GC
	Natural Heritage	Open Space	Stormwater Management	Golf Course
<b>Residential Uses</b>				
<i>Detached Dwelling</i>				•
Existing Uses	• (*1) (*2)	•		•
<b>Non-Residential Uses</b>				
<i>Cemetery</i>		•		
Community Centre		•		
<i>Conservation Use</i>	•	•	•	
Existing Uses	• (*1)(*2)	•	• (*2)	•
<i>Golf Course</i>				•
<i>Home Occupation</i>	•			
<i>Public Park</i>		•		
<i>Recreation and Athletic Facility</i>		•		
<i>Forestry Use</i>	• (*2)	• (*2)	• (*2)	

Footnote(s) for Table 11A Above

- (\*1) The adding of any additional *floor area* or volume to an existing *building*, or the establishment of any new *accessory building* or *structure* or any alteration to the location of any tee, fairway, landing area or hole associated with a *golf course* is subject to the regulations of the applicable *Conservation Authority*. See Section 2.5 of this By-law.
- (\*2) Subject to the provisions of the Regional Tree Cutting By-law, as amended.

## 11.2 ZONE STANDARDS

A number(s) following the *Zone* standard, *Zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Section 11.2.

No person shall within any Natural Heritage System, Open Space or *Golf Course Zone* use any *lot* or erect, alter, use any *building* or *structure* except in accordance with the following *Zone* provisions:

**TABLE 11B**

Regulations	ZONES			
	NHS	OS-1	OS-2	GC
	Natural Heritage	Open Space	Open Space – Storm Water Management	Golf Course
<b>Lot Frontage</b> (Minimum)	as existing	No minimum	No Minimum	300m
<b>Lot Area</b> (Minimum)	as existing	No minimum	No Minimum	40 ha
<b>Lot Coverage</b> (Maximum)	N / A	20%	No Minimum	2%
<b>Setbacks</b> (Minimum)				
<i>Front Yard</i>	as existing	6.0m	0.0m	25.0m
<i>Interior Side Yard</i>	as existing	12.0m	0.0m	25.0m
<i>Exterior Side Yard</i>	as existing	6.0m	0.0m	25.0m
<i>Rear Yard</i>	as existing	12.0m	0.0m	25.0m
<b>Building Height</b> (Maximum)				
<i>Detached dwelling</i>	as existing	N/A	N/A	11.0m
<i>Recreational Uses</i>	as existing	14.0m	N/A	14.0m
<i>Other Uses</i>	as existing	11.0m	N/A	N/A

Footnote(s) for Table 11B Above

(\*5) *Lot area* calculation shall be exclusive of Natural Heritage System *Zone*



## SECTION 12 FUTURE DEVELOPMENT *ZONE*

### 12.1 PERMITTED *USES*

Only *uses* that legally existed on the date this By-law came into effect are permitted. The development of new *buildings* and *structures* are not permitted, however, additions to existing *buildings*, *structures* are permitted. Furthermore, *accessory buildings* within the Future Development *Zone* are permitted and shall be subject to the provisions of Section 4.2.1 Regulations for Residential *Accessory Buildings* and *Structures* and Section 4.2.2 Regulations for Attached and Detached Accessory Garages and Carports.

### 12.2 *ZONE STANDARDS*

No person shall within a Future Development *Zone* use any *lot* or erect, alter, use any *building* or *structure* except in accordance with the following:

**TABLE 12A**

Regulations	FD
	Future Development
<b>Lot Frontage</b> (Minimum)	as existing
<b>Lot Area</b> (Minimum)	as existing
<b>Lot Coverage</b> (Maximum)	N/A
<b>Setbacks</b> (Minimum)	
<i>Front Yard</i>	4.0m
<i>Interior Side Yard</i>	1.2m
<i>Exterior Side Yard</i>	4.0m
<i>Rear Yard</i>	7.5m

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**SECTION 13**  
**SPECIAL PROVISIONS, HOLDING PROVISIONS,**  
**TEMPORARY USE ZONES, AND INTERIM CONTROL ZONES**

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**13.1 SPECIAL PROVISIONS**

Where a *Zone* designation on any lands is shown to contain a star symbol followed by a number, (for example \*17) on schedules to this By-law, special provisions as outlined in Section 13.1.1 of this By-law shall apply to those lands as indicated. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

**13.1.1 List of Special Provisions**

The following exceptions apply to the properties specified:

Section No.	By-law No. (Date Enacted)	Zone	Exception No.
Property Address and/or Legal Description			
Special Provisions			
<b>13.1.1.1</b>	75-2002 109-2004 (Dec 20/04) 081-2020	RLD1	<b>*1</b>
57 Martin Street (Martin House)			
i) Only <i>Uses Permitted</i>			
a) business or professional <i>office</i> , with the exception of a medical practitioner;			
b) <i>dwelling unit</i> in the main and upper portion of a commercial <i>building</i> .			
<b>13.1.1.2</b>	61-85 125-2005 (Sept 26/05)	C3	<b>*2</b>
1580 Derry Road East (Mattamy Hawthorne Village Commercial)			
i) Additional Permitted <i>Use</i>			
a) <i>fitness centre</i>			
ii) <i>Zone Standards</i>			
b) Maximum Total Combined <i>Gross Floor Area</i> : 1550m <sup>2</sup>			
<b>13.1.1.3</b>	61-85	C5	<b>*3</b>
9230 & 9266 Guelph Line (Mohawk Inn)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.4</b>	61-85 101-2009 (OMB Decision July 20/09)	C5	<b>*4</b>
9430–9480 Guelph Line (Mohawk Race Track – Woodbine Entertainment Group)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			
<b>13.1.1.5</b>	61-85	C3	<b>*5</b>
311 Commercial Street			
i) Prohibited <i>Uses</i> a) <i>Day Care Centre</i>			
<b>13.1.1.6</b>	61-85	M2	<b>*6</b>
8277 Lawson Road (Toronto Auto Auctions)			
i) Additional Permitted <i>Uses</i> a) Automobile auctioneers sales establishment; and b) Storage of vehicles			
<b>13.1.1.7</b>	61-85 081-2020	RLD1	<b>*7</b>
161 Commercial Street			
i) Only <i>Use</i> Permitted a) sewage treatment plant			
<b>13.1.1.8</b>	61-85	A1	<b>*8</b>
5400, 5406 & 5328 Regional Road No. 25 (Regional Waste Management Facility)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			
<b>13.1.1.9</b>	61-85	A1	<b>*9</b>
6252 Eighth Line			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			
<b>13.1.1.10</b>	61-85	A2	<b>*10</b>
13700 Fourth Line (Nassagaweya) (Railway Museum)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.11</b>	61-85	RV	<b>*11</b>
305 – 315 Campbell Avenue			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.12</b>	61-85 34-2002 (Mar 25/02)	I-A	<b>*12</b>
6620 Thompson Road (New Life Pentecostal Church)			
<p>i) Only Uses Permitted</p> <ul style="list-style-type: none"> <li>a) <i>Place of Worship</i>;</li> <li>b) <i>Day Care Centre</i>;</li> <li>c) memorial garden with columbarium;</li> <li>d) <i>Recreational uses</i>;</li> <li>e) <i>Place of Assembly</i>;</li> <li>f) <i>Private School</i>;</li> <li>g) Other non-commercial uses to serve the surrounding community.</li> </ul> <p>ii) Zone Standards</p> <ul style="list-style-type: none"> <li>a) Minimum <i>Front yard</i>: 20.0m;</li> <li>b) Minimum <i>Side Yards</i>: 10.0m;</li> <li>c) Maximum <i>Height of Religious / Spiritual Facility</i>: 13.0m;</li> <li>d) Maximum Ground Floor Area of Religious / Spiritual Facility: 2,000m<sup>2</sup></li> </ul>			

<b>13.1.1.13</b>	61-85	OS	<b>*13</b>
Various Locations (Conservation Halton Lands)			
<p>i) Only Uses Permitted</p> <ul style="list-style-type: none"> <li>a) The development and operation of conservation areas by a <i>Conservation authority</i> incorporated under the Conservation Authorities Act, and uses incidental thereto, including <i>dwelling units</i> occupied by Authority personnel necessary to Authority operations;</li> <li>b) An administration/operational facility of a <i>Conservation Authority</i>;</li> <li>c) Forest management, trail system development and operation and facility development on forest tracts of the Region of Halton and the lands of the Ontario Heritage Foundation;</li> <li>d) <i>Recreational Trailers or Vehicles</i> and tent camping.</li> </ul>			

<b>13.1.1.14</b>	131-2002 109-2004 (Dec 20/04)	RV	<b>*14</b>
185 Campbell Avenue West Registered Plan 20M-969 Part of Lot 1, Plan M-46 and Part of Lot 7, Concession 3 (Nassagaweya) (Stokes Subdivision / Bridlewood Estates)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.15</b>	131-2002	NHS	<b>*15</b>
185 Campbell Avenue W. Registered Plan 20M 969 Part of Lot 1, Plan M-46 and Part of Lot 7, Concession 3 (Nassagaweya) (Stokes Subdivision / Bridlewood Estates)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.16</b>	61-85 44-2002 OMB Decision (May 7/01)	UGC-MU	<b>*16</b>
800 -900 Main Street East (Part Lot 13, Conc 3) (Loblaws Properties Ltd)			
<p><b>i) Prohibited Uses:</b></p> <ul style="list-style-type: none"> <li>a) <i>department store</i>;</li> <li>b) an enclosed shopping centre (however, this provision shall not prevent a mixed use development nor a group of up to three commercial units in an enclosed <i>building</i> of less than 13,000m<sup>2</sup>).</li> </ul> <p><b>ii) Additional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>motor vehicle gas bar and/or motor vehicle washing establishment and drive-through service facility in conjunction with a motor vehicle washing establishment accessory to a permitted use or part of a mixed use development</i>;</li> <li>b) Parking for adjacent commercial development, circulation, landscaping, and <i>driveways</i></li> <li>c) Food Store</li> <li>d) a <i>drive-through service facility</i> in conjunction with the existing pharmacy located within the Food Store.</li> </ul> <p><b>iii) Additional Zone Standards:</b></p> <ul style="list-style-type: none"> <li>a) Notwithstanding any provision to the contrary, multiple <i>lots</i> under separate ownership shall be developed as a single <i>lot</i> for the purposes of administering the <i>Zoning By-law</i>.</li> <li>b) For the purposes of this By-law, Thompson Road shall be deemed to be the <i>Front Lot Line</i> for the purposes of administering the <i>Zoning By-law</i>.</li> <li>c) Notwithstanding section 5.13, light fixtures shall be permitted to have a maximum height of 14 m.</li> </ul> <p><b>iv) Special Site Provisions – Commercial Uses</b></p> <ul style="list-style-type: none"> <li>a) The size of individual <i>retail stores</i> shall be limited to 2,750m<sup>2</sup> with the following exceptions:</li> </ul>			

- 1) Up to 3 individual retail *uses* may have an individual floor space greater than 2,750m<sup>2</sup>;
  - 2) None of those individual stores may be larger than 13,000m<sup>2</sup>;
  - 3) The cumulative floor space of such individual stores which are larger than 2,750m<sup>2</sup> may not exceed 16,720m<sup>2</sup>;
  - 4) No such store larger than 6,500m<sup>2</sup> shall front onto Main Street;
- b) *Garden centers* located in a free-standing, single-unit *accessory building* or *structure* shall be located within 80.0 m of a *building* containing a permitted principal *use*.
  - c) Notwithstanding any definition to the contrary, for the purposes of this By-law, a 'Food Store' means a *premises* having a minimum *gross floor area* of 2750 m<sup>2</sup>, in which food and grocery items are primarily sold at retail and in which other *accessory* merchandise such as convenience items, household supplies, hardware, patent medicines, personal care products and garden center products may be sold.
  - d) Notwithstanding any provisions to the contrary, the storage of food waste associated with a food store use may be stored in an enclosed non-refrigerated facility.
  - e) Maximum Front Yard Setback for the Car Washing Establishment: 40.0 m
  - f) Maximum Front Yard Setback for the Gas Bar Canopy: 50.0 m
  - g) Maximum Exterior Side Yard Setback relating to 820 Main Street East: 15.0 m
  - h) Minimum Rear Yard Setback for the garden centre use only: 2.0 m
  - i) Minimum Required Landscaped Open Space: 14.0 %
- v) Special Parking and Loading Provisions**
- a) *Required Parking* : 1 parking space per 20 m<sup>2</sup>
  - b) The minimum number of required ingress spaces for a motor vehicle washing establishment shall be 9 spaces.
  - c) All queuing lanes and order boxes using voice communication to order, may be located 2.5 m to any street line.
  - d) Minimum distance of required loading spaces and loading areas to any street line: 9.0 m
  - e) Notwithstanding any provisions to the contrary, the parking area shall be setback a minimum 0.85 m abutting the Drew Centre Street line.

<b>13.1.1.17</b>	61-85 10-2002	A2	<b>*17</b>
5657 – 15 <sup>th</sup> Side Road (Rose Cherry's)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.18</b>	61-85	C5	<b>*18</b>
Steeles Avenue Part of Lot 15, Concession 2 NS, (Abandoned Rail Line / Jim Gorman)			
<b>i) Only Uses Permitted</b> a) Automobile display and sales; and, b) <i>Accessory buildings and structures</i> that do not require water and wastewater services.			
<b>ii) Special Site Provisions</b> a) a 3.0m landscape strip shall be required along the easterly <i>lot line</i> situated within the 25m of a residential <i>Zone</i> .			

<b>13.1.1.19</b>	61-85 114-2002 (Aug 26/02) (102-2005)		<b>*19</b>
<b>DELETED SECTION</b>			

<b>13.1.1.20</b>	(Official Plan Policies for Moffat)	RV	<b>*20</b>
Various properties within the Hamlet of Moffat			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.21</b>	61-85	C2	<b>*21</b>
NE Corner of Thompson Road & Louis St. Laurent Avenue (Manaman Commercial )			
<b>i) Special Site Provision</b> a) the area within a rectangle measured 30m from the point of intersection of the <i>front lot line</i> and <i>exterior side lot line</i> abutting two arterial roads shall be exclusively devoted to the provision of <i>landscaped open space</i> .			

<b>13.1.1.22</b>	61-85 109-2004 (Dec 20/04) 081-2020	RLD1	<b>*22</b>
16 James Street (Waldie's Blacksmith Shop)			
<b>b. i) Only Uses Permitted</b> a) Living Museum			
<b>ii) Special Site Provisions</b> a) A living museum means the <i>use</i> of a <i>premises</i> for the demonstration of historic activities to groups and the public at large and includes <i>school</i> and other tours and also associated administrative or education meetings. <i>Accessory</i> retail sales of goods is also permitted.			

<b>13.1.1.23</b>	61-85	OS	<b>*23</b>
Lot 18, Concession III (Nassagaweya) (Kaitlyn Brook)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.24</b>	61-85	A2	<b>*24</b>
Part Lot 12, Concession III (Nassagaweya) (Christoforou)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.25</b>	61-85	C4	<b>*25</b>
Part of Lot 7, Concession III (Nassagaweya) (Ridley Windows & Doors)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			
2)			

<b>13.1.1.26</b>	61-85		<b>*26</b>
<b>DELETED SECTION</b>			

<b>13.1.1.26(ii)</b>	44-2007 (Apr 23/07)		<b>*26(ii)</b>
<b>DELETED SECTION</b>			

<b>13.1.1.27</b>	61-85 47-2005	M2	<b>*27</b>
Part Lot 6, Concession II (Nassagaweya) and Part Lot 13, concession VIII (Trafalgar)			
<b>i) Only Uses permitted</b>			
<ul style="list-style-type: none"> <li>a) <i>Equipment Sales and Rental;</i></li> <li>b) <i>Industrial Use;</i></li> <li>c) <i>Outdoor Storage;</i></li> <li>d) <i>Motor Vehicle and Equipment Storage;</i></li> <li>e) <i>Seasonal Vehicle Storage;</i></li> <li>f) <i>Service and Repair Shop;</i></li> <li>g) <i>Transportation Terminal;</i></li> <li>h) <i>Veterinary Clinic – Small Animal;</i></li> <li>i) <i>Veterinary Clinic – Large Animal;</i></li> <li>j) <i>Veterinary Hospital- Small Animal;</i></li> <li>k) <i>Warehouse Distribution Centre;</i></li> <li>l) <i>a dwelling for a watchman or caretaker or other similar person employed on the premises concerned.</i></li> </ul>			



<b>13.1.1.28</b>	61-85	C5	<b>*28</b>
Part Lot 4, Concession III (Trafalgar Truck Stop)			
<b>i) Only Uses Permitted</b> a) <i>Convenience Store</i> ; b) <i>Drive Through Service Facility</i> ; c) <i>Motor Vehicle Gas Bar</i> ; d) <i>Motor Vehicle Service Station</i> ; e) <i>Propane Facility, Retail</i> ; f) <i>Restaurant</i>			

<b>13.1.1.29</b>	61-85	C2	<b>*29</b>
Derry Centre			
<b>i) Additional Permitted Uses</b> a) <i>Dry Cleaning Establishment</i>			
<b>ii) Zone Standards</b> a) Maximum Total <i>Gross Floor Area of Dry Cleaning Establishments</i> : 120m <sup>2</sup>			

<b>13.1.1.30</b>	61-85	CBD-B	<b>*30</b>
Bronte Street, North of Main Street (Durante)			
<b>i) Additional Permitted Uses</b> a) <i>Commercial storage facility</i>			

<b>13.1.1.31</b>	61-85 109-2004 (Dec 20/04)		<b>*31</b>
<b>DELETED SECTION</b>			

<b>13.1.1.32</b>	61-85	C4	<b>*32</b>
85 Campbell Avenue (Lotts)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.33</b>	61-85	M2	<b>*33</b>
Bales Holdings			
<b>i) Zone Standard</b> a) <i>Building Height</i> : no maximum provided that where a <i>building</i> has a <i>height</i> greater than 15.0m the required minimum <i>front yard</i> and <i>rear yard</i> depths and the required <i>interior side yard</i> and <i>exterior side yard</i> widths are increased a distance equal to that which the <i>building</i> exceeds a <i>height</i> of 15m.			

<b>13.1.1.34</b>			
<b>DELETED SECTION</b>			

<b>13.1.1.35</b>		RMD1	<b>*35</b>
Various Phase 1A lands			
<b>i) Zone Standards</b>			
<ul style="list-style-type: none"> <li>a) Each <i>parking space</i> shall provide a minimum size of 2.7m x 5.5m, with a rectangular shape and be readily accessible at all times for the parking and removal of a <i>motor vehicle</i> without the necessity of moving any other vehicle or obstruction. Accessibility shall not apply to a <i>parking space</i> in a garage that is for the exclusive use of the <i>dwelling unit</i>, provided the <i>driveway</i> serving the garage has a minimum length of 5.5m;</li> <li>b) In no case, shall any two <i>dwellings</i> located on abutting <i>lots</i> be less than 1.2m apart;</li> <li>c) Air conditioning and heat exchange units are permitted in rear or <i>interior side yards</i> only and may encroach up to 1.2m into the <i>required yard</i>, but in no case shall air conditioning or heat exchange units be located across <i>lot lines</i>.</li> </ul>			

<b>13.1.1.36</b>	61-85	NHS	<b>*36</b>
Part Lot 14. Concession VII (Nassagaweya) (Boy Scout / Girl Guide Camp)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.37</b>	OMB ORDER	NHS	<b>*37</b>
Kalmoni			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.38</b>		M1	<b>*38</b>
150 Steeles Avenue West (Meritor)			
<b>i) Special Site Provisions</b>			
<ul style="list-style-type: none"> <li>a) <i>Outdoor storage</i> accessory to the existing <i>industrial use</i> shall be permitted provided that: <ul style="list-style-type: none"> <li>A) it complies with the minimum <i>setback</i> requirements of the applicable <i>Zone</i>;</li> <li>B) it is <i>setback</i> a minimum of 18.0m from any <i>street line</i> and is not located in a <i>front yard</i>;</li> <li>C) it does not cover an area exceeding 30% of the <i>lot area</i> or exceeding the ground <i>floor area</i> of the main <i>building</i> on the <i>lot</i>; and,</li> <li>D) any portion of a <i>lot</i> used for <i>outdoor storage</i> is screened from adjoining <i>streets</i> and properties by <i>buildings</i>, fencing, shrub plantings or similar screening which has a <i>height</i> in excess of the <i>outdoor storage use</i>.</li> </ul> </li> </ul>			

<b>13.1.1.39</b>	144-2003 35-2004 (May 25/04)	C5	<b>*39</b>
20 Market Drive (Canadian Tire)			
<p><b>i) Additional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) Hardware store;</li> <li>b) Tire Sales Establishment;</li> <li>c) <i>Retail Store</i></li> </ul> <p><b>ii) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) Maximum <i>Lot Coverage</i>: 23%;</li> <li>b) Maximum <i>Gross Floor Area</i> of a <i>Retail Store</i>: 360m<sup>2</sup>;</li> <li>c) Minimum <i>Landscape Buffer</i> abutting a <i>street line</i>: where the width of the boulevard in a public road allowance exceeds 10m in width, the minimum <i>landscape buffer</i> abutting a <i>street line</i> may be reduced to 3.0m;</li> <li>d) Minimum Required Ingress Spaces For A <i>Drive-Through Restaurant</i> (Coffee Shop): 6;</li> <li>e) Minimum <i>Setback</i> for Propane Dispensing Facility: 4.5m from the nearest <i>lot line</i>;</li> <li>f) <i>Loading Space</i> Requirements: designated <i>loading spaces</i> are not required for a <i>restaurant, convenience store</i> or a <i>retail store use</i> provided that a loading area independent of any required <i>parking spaces</i> is provided adjacent to the <i>building</i> for which the loading area is to be used;</li> <li>g) Location of <i>Waste Storage Facility</i>: where a <i>waste storage facility</i> is located within an <i>accessory building</i> or <i>structure</i>, it may be permitted in an <i>interior side yard</i>.</li> </ul>			

<b>13.1.1.40</b>	144-2003 147-2003 (Oct 20/03)	RV	<b>*40</b>
Lot 18, Concession III (Nassagaweya) (Kaitlyn Brook)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.41</b>	144-2003 147-2003 (Oct 20/03)	RV	<b>*41</b>
Lot 18, Concession III (Nassagaweya) (Kaitlyn Brook)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.42</b>	144-2003 147-2003 (Oct 20/03)	RMD1	<b>*42</b>
180 & 182 Bronte Street South (Prezel Construction)			
<b>i) Zone Standards</b> a) Minimum <i>Lot Frontage</i> : 20.0m; b) Minimum Required <i>Rear Yard</i> : 37.5m; c) Minimum Required <i>Interior Side Yard</i> : 4.5m; d) Minimum Off-Street Parking Requirements: 2 <i>parking spaces per Dwelling Unit</i> ; e) Maximum Number of <i>Multiple Dwellings Per Lot</i> : 3; f) Maximum Number of <i>Dwelling Units</i> : 14			

<b>13.1.1.43</b>	144-2003 24-2004 (Mar 29/04) 109-2004 (Dec 20/04) 47-2005 (Apr 25/05)	C6	<b>*43</b>
Bronte Street North Part of Lot 14, Concession 2, NS (Canadian National Railway – Dennis Durante In Trust)			
<b>i) Only Uses Permitted</b> a) <i>Artist’s Studio</i> ; b) <i>Commercial School – Skill</i> ; c) <i>Dry Cleaning Depot</i> ; d) <i>Office</i> ; e) <i>Retail Store 1</i> ; f) <i>Service Commercial Uses</i> ; g) <i>Veterinary Clinic- Small Animal</i> ; h) <i>Veterinary Clinic – Large Animal</i> ;  <b>ii) Zone Standards</b> a) Minimum <i>Lot Area</i> : 850m <sup>2</sup> ; b) Maximum <i>Lot Area</i> : 5400m <sup>2</sup> ; c) Maximum <i>Lot Coverage</i> : 20%; d) Minimum <i>Gross Floor Area</i> : no minimum; e) Maximum <i>Gross Floor Area</i> : 1080m <sup>2</sup> ; f) North-westerly <i>Interior Side Yard</i> : 3.0m; g) Minimum <i>Front Yard Depth</i> : 1.0m; h) Maximum <i>Front Yard Depth</i> : 11.0m; i) Minimum <i>Landscape Buffer</i> : A) Abutting a <i>street line</i> : 1.0m; B) Abutting a <i>Residential Zone</i> : 4.0m; C) Abutting an <i>Open Space (OS) Zone</i> : 1.0 m; j) A <i>landscape buffer</i> shall be provided within an <i>Open Space (OS) Zone</i> in conjunction with the public pedestrian multi-use trail. Full screening shall be required along the mutual <i>lot</i>			

*line where a non-residential use abuts a Residential Zone and will be provided through the use of privacy fencing and landscaping.*

**ii) Special Site Provisions**

- a) Open Storage: no open storage of goods, materials or wastes shall be permitted;
- b) Required Parking:
  - A) 1 space/25m<sup>2</sup> of gross floor area;
  - B) Minimum Parking Space Size: 2.7m X 5.6m;
  - C) Minimum Accessible Parking Space Size: 3.7m X 5.6m
- c) No loading spaces are required for the subject property;
- d) Service Commercial Use means a premises where the services of a clerical, business, professional and administrative nature such as banking, accounting, insurance, investment and financial planning, or the services of other consultants are provided and may include such uses as personal service uses such as florists, dry cleaning depots, tailors, travel agents, diet centres, day spas, tanning parlours, personal service shops, shoe repair, specialty food stores and video retail stores but does not include a Night Club, an office building, an Adult Entertainment Use, or any premises containing Video Game and Pinball Machines.

<b>13.1.1.44</b>	144-2003 OMB Decision/ Order No. 1155 (July 7/04) 100-2006 (Sept 25/06)	M1	*44
<p>150 Steeles Ave E Part of Lot 15, Concession 2, N.S., Part 5 of RP 20R-2956 more particularly described as the severed parcel 'B' on the Severance Plan prepared by Gagnon Law Bozzo Urban Planners Ltd., File #854SEV_030804A dated March 8, 2004. (Meritor)</p>			
<p><b>i) Additional Permitted Use:</b> a) Motor vehicle Dealership</p> <p><b>ii) Excluded Uses:</b> a) Dry Cleaning Establishment</p> <p><b>iii) Special Site Provisions</b> a) For the purposes of this section, a motor vehicle dealership shall mean a premises where new or used motor vehicles are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a motor vehicle repair garage or motor vehicle body shop but <b>shall not</b> include a motor vehicle service station or motor vehicle gas bar, b) Outdoor Auditory Systems: The use of outdoor auditory signaling devices such as outdoor paging systems or outdoor speakers shall not be permitted.</p>			

<b>13.1.1.45</b>	144-2003 60-2004 (July 26/04)	RO	<b>*45</b>
337 Ontario Street South (HD Investments)			
<p><b>i) Only Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>Apartment building;</i></li> <li>b) <i>Office building;</i></li> <li>c) <i>Office uses</i></li> </ul> <p><b>ii) Zone Standards</b></p> <ul style="list-style-type: none"> <li>a) Minimum <i>Required Rear Yard:</i> 5.0m;</li> <li>b) Minimum <i>Required Exterior Side Yard:</i> 0.0m;</li> <li>c) Maximum <i>Height:</i> 4 storeys to a maximum of 14.0m</li> </ul> <p><b>iii) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) Minimum Size of Perpendicular Off-street <i>Parking Spaces:</i> 6.0m long and 2.75m wide;</li> <li>b) <i>Parking Area Location on a Lot:</i> parking areas shall be <i>Setback</i> a minimum of 1.2m from any <i>building</i> or <i>structure</i> and may be provided in all <i>yards</i> provided that no part of any <i>parking area</i>, other than ingress or egress points, is located closer than 4.75m to any <i>street line</i> and no closer than 2.0m to any other <i>lot line</i>;</li> <li>c) Off-street <i>loading spaces</i> are not required.</li> </ul>			

<b>13.1.1.46</b>	61-2004 (July 26/04)	RMD1	<b>*46</b>
Part of Lot 8, Concession V (Trafalgar) (York Trafalgar Corp.)			
<p><b>i) Additional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>Office use</i> within an existing <i>building</i></li> </ul> <p><b>ii) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) <i>Parking Area Location On A Lot:</i> permitted in all <i>yards</i> provided that no part of any <i>parking area</i> is located closer than 10.0m to any abutting residentially <i>Zoned</i> property;</li> <li>b) Surface Treatment of <i>Parking Areas:</i> a maximum of 50% of the required <i>parking spaces</i> may be surface treated with grass paving;</li> <li>c) Off-street <i>loading spaces</i> are not required.</li> </ul>			

<b>13.1.1.47</b>	144-2003 OMB Decision / Order No. 1155 (July 7/04) 114-2017 (Nov/17)	RLD	<b>*47</b>
<b>DELETED SECTION</b>			

<b>13.1.1.48</b>	144-2003 OMB Decision / Order No. 1548 (Sept 23/04)	A2	<b>*48</b>
Part of Lot 14, Concession VII (Nassagaweya) (Boy Scout / Girl Guide Camp)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.49</b>	144-2003 115-2004 (Dec 20/04)	M1	<b>*49</b>
901 STEELES AVE. E. PART OF LOT 1, CONCESSION 4 (ESQUESING) (GPM REAL PROPERTY LTD.& MONDOW INC. FILE Z-10/04)			
<p><b>i) Additional Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) Equipment Sales and Rental Business;</li> <li>b) Drive-Through Service Facility;</li> <li>c) Restaurant;</li> <li>d) Motor Vehicle Washing Establishment;</li> <li>e) Motor Vehicle Repair Garage;</li> <li>f) Motor Vehicle Dealership;</li> </ul> <p><b>ii) Additional Zone Standards:</b></p> <p>Notwithstanding the provisions of Section 8.2 (Table 8B) hereof to the contrary, the specific zoning provisions of Highway Commercial (C5) in Table 7D shall apply to the following uses permitted in Business Park Special (M1*49):</p> <ul style="list-style-type: none"> <li>Drive-Through Service Facility;</li> <li>Restaurant;</li> <li>Motor Vehicle Washing Establishment;</li> <li>Motor Vehicle Repair Garage;</li> <li>Motor Vehicle Dealership;</li> </ul> <p>For the purposes of this By-law, equipment sales and rental means a premises in which machinery and equipment are offered or kept for rent, lease or hire under agreement for compensation and does not include the sale or rental of any material handling equipment which shall constitute, but not be limited to forklifts, front-end loaders, backhoes, cement rollers, excavators, off-highway haulers or trucks, bulldozers, tractors or other similar equipment. In addition, household items, accessory to the equipment sales and rental use, which are offered or kept for rent, lease or hire under agreement for compensation shall also be permitted.</p> <p>For the purposes of this By-law, motor vehicle repair garage means a premise used to conduct major and minor mechanical repairs of motor vehicles but does not include a motor vehicle gas bar or motor vehicle service station as an accessory use.</p> <p>Notwithstanding the provisions of Section 8.2 (Table 8B) hereof the contrary, the following shall apply to the lands zoned Business Park Special (M1*49):</p> <p><b>iii) Special Site Provisions:</b></p>			

a)	Maximum Gross Floor Area for Equipment Sales and Rental Business: 620m <sup>2</sup>
b)	Outdoor Display: Outdoor display area which is accessory only to the equipment sales and rental business is permitted provided that: i) a maximum area of 27 sq. metres ii) solely for the display of propane tanks iii) outdoor display area does not obstruct pedestrian or vehicular traffic and shall be appropriately screened.
c)	Open Storage: No open storage of goods, materials or wastes shall be permitted.
Notwithstanding any provisions of Section 5 <b>PARKING REQUIREMENTS</b> hereof to the contrary the required parking for the <b>existing building</b> and the <b>equipment sales and rental use only</b> will be:	
d)	Minimum Parking Space Size: 2.7 metres X 5.6 metres
e)	Minimum Parking Space for Disabled Persons: 4.6 metres X 5.6 metres
f)	Loading Space Requirements: Notwithstanding the provisions of Section 5.11 to the contrary, only 1 loading space is required for the equipment sales and rental business.

<b>13.1.1.50</b>	144-2003 11-2005 (Jan 24/05) 081-2020	RLD1	<b>*50</b>
142 Martin Street (DeBrouwer / Ball)			
<b>i) Additional Permitted Uses</b>			
a) <i>Office use</i> within an existing <i>building</i>			
<b>ii) Special Site Provisions</b>			
a) Minimum Parking <i>Lot / Driveway</i> set back from <i>Interior Side Yard</i> (south side): 7.0m;			
b) Off-street <i>loading spaces</i> are not required;			
c) Minimum <i>Interior Side Yard</i> : 4.0m			

<b>13.1.1.51</b>	144-2003 OMB Decision / Order No. 1762 (Nov 9/04)	UGC-MU	<b>*51</b>
805 Nipissing Road (St. Marys Cement)			
<b>i) Additional Permitted Uses</b>			
a) Concrete batching plant and <i>accessory uses, buildings and structures</i> .			
<b>ii) Zone Standards</b>			
a) the following shall apply to the concrete batching plant and <i>accessory uses, buildings and structures</i> :			
A) Minimum <i>Front Yard</i> : 62.0m;			
B) Minimum <i>Rear Yard</i> : 5.0m;			
C) Minimum <i>Interior Side Yards</i> : 9.0m			



<b>13.1.1.52</b>	144-2003 13-2005 (Jan 24/05)	M2	<b>*52</b>
312 Campbell Avenue			
<b>i) Only Uses Permitted</b>			
<ul style="list-style-type: none"> <li>a) <i>Industrial Use</i>;</li> <li>b) <i>Outdoor Storage</i>;</li> <li>c) <i>Motor Vehicle and Equipment Storage</i>;</li> <li>d) <i>Service and Repair Shop</i>;</li> <li>e) <i>Warehouse Distribution Centre</i>;</li> <li>f) <i>Dwelling for a watchman or caretaker or other similar person employed on the premises concerned.</i></li> </ul>			
<b>13.1.1.53</b>	144-2003 16-2005 (Jan 24/05)	C5	<b>*53</b>
9301 Second Line (Nassagaweya) (KOA Kampground)			
<b>i) Only Uses Permitted</b>			
<ul style="list-style-type: none"> <li>a) <i>Recreational vehicle and tent camping and accessory uses not exceeding 2000m<sup>2</sup> in gross floor area.</i></li> </ul>			
<b>13.1.1.54</b>	144-2003 OMB Decision / Order No. 1762 (Nov 9/04)	CBD-MU-2	<b>*54</b>
900 Nipissing Road (Milton Baptist Church – Montessori Daycare)			
<b>i) Additional Permitted Use</b>			
<ul style="list-style-type: none"> <li>a) <i>Day Care Centre</i></li> </ul>			
<b>13.1.1.55</b>	144-2003 OMB Decision / Order No. 1762 (Nov 9/04)	UGC-MU-2	<b>*55</b>
800 Nipissing Road (Little Kids Daycare)			
<b>i) Additional Permitted Use</b>			
<ul style="list-style-type: none"> <li>a) <i>Day Care Centre</i></li> </ul>			

<b>13.1.1.56</b>	144-2003 45-2005 (Apr 25/04)	M1	<b>*56</b>
1195 Steeles Avenue W. Pcl 7-2 Sec 20M-468, Pt. Lt.7, Plan 20M-468, Parts 5 & 6, 20R-9332 (W.J.G. Steeles Holdings Ltd.)			
<b>i) Additional Permitted Use</b> a) <i>Motor Vehicle Dealership</i> <b>ii) Special Site Provisions</b> a) For the purposes of this section a <i>motor vehicle dealership</i> means a <i>premises</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a <i>motor vehicle repair garage</i> or <i>motor vehicle body shop</i> but shall not include a <i>motor vehicle service station</i> or <i>motor vehicle gas bar</i> .			
<b>13.1.1.57</b>	144-2003 41-2005 (Apr 25/05) 38-2019	FD	<b>*57</b>
NE corner Britannia Rd & First Line Part of Lot 6, Concession 2 (Trafalgar) (Main Sail Estates Inc.)			
<b>DELETED</b>			
<b>13.1.1.58</b>	144-2003 53-2005 (May 24/05)	A2	<b>*58</b>
3058 – 30 Side Road (PART OF LOT 30, CONC. 4) (NASSAGAWEYA) (Timmerman)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.59</b>	144-2003 65-2005 (May 24/05)	RMD1	<b>*59</b>
Part of Lot 10, Concession III, N.S. (Trafalgar) (Mattamy (Brownridge) Limited - Lai-Jensen Lands)			
<p><b>i) Special Site Provisions</b></p> <p><b>Lane Based Single Detached Dwellings</b></p> <p>a) Minimum <i>Lot Frontage</i>: 9.5m where the definition of <i>Frontage</i> is deemed to mean the following:</p> <p style="padding-left: 20px;">A) <i>Frontage</i> on a <i>Street</i>: a <i>building</i> or <i>structure</i> with access to a public <i>lane</i> shall be deemed to conform to the requirements of Section 4.5.1, and further that <i>Front Lot Line</i> shall mean the following:</p> <p style="padding-left: 40px;">i) <i>Front Lot Line</i>: where a <i>lot</i> does not have <i>frontage</i> on a <i>public street</i>, the <i>lot line</i> abutting an OS <i>Zone</i> shall be deemed to be the <i>front lot line</i>.</p> <p><b>Single Detached Dwelling – Lane Access Interior unit</b></p> <p>b) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i>: 0.6m</p> <p><b>Single Detached Dwelling – Lane Access Corner Unit</b></p> <p>c) Minimum <i>Lot Depth</i>: 27.0m;</p> <p>d) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i>: 0.6m</p>			

<b>13.1.1.60</b>	144-2003 65-2005 (May 24/05)	RMD1	<b>*60</b>
Part of Lot 10, Concession III, N.S. (Trafalgar) (Mattamy (Brownridge) Limited - Lai-Jensen Lands)			
<p><b>i) Zone Standards</b></p> <p><b>Lane Based Townhouse Dwellings</b></p> <p>a) <b>Townhouse Dwelling - Lane Access Interior Unit:</b></p> <p style="padding-left: 20px;">A) Minimum <i>Lot Depth</i>: 18.0m;</p> <p style="padding-left: 20px;">B) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i>: 0.6m</p> <p>b) <b>Townhouse Dwelling - Lane Access End Unit:</b></p> <p style="padding-left: 20px;">A) Minimum <i>Lot Depth</i>: 18.0m;</p> <p style="padding-left: 20px;">B) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i>: 0.6 m</p> <p>c) <b>Townhouse Dwelling – Lane Access End Corner Unit</b></p> <p style="padding-left: 20px;">A) Minimum <i>Lot Depth</i>: 18.0m;</p> <p style="padding-left: 20px;">B) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i>: 0.6m</p>			

<b>13.1.1.61</b>	144-2003 65-2005 (May 24/05)	C5	<b>*61</b>
Part of Lot 10, Concession III, N.S. (Trafalgar) Block 93 on Draft Plan 'R'			
<p><b>i) Zone Standards</b></p> <p>a) Minimum <i>Lot Frontage</i>: 70.0m</p>			

<b>13.1.1.62</b>	144-2003 69-2005 (June 27/05)	GB	*62
8469 First Line (Nassagaweya) (Bija)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.63</b>	144-2003 83-2005 (July 18/05) 25-2016 (April 11/16)	UGC-MU	*63
55 Ontario Street (Pen Retail II, Milton Mall)			
<p><b>i) Additional Permitted</b></p> <ul style="list-style-type: none"> <li>a) <i>Department Store</i></li> <li>b) <i>Retail Store 3</i></li> </ul> <p><b>ii) Zone Standards:</b></p> <p>Notwithstanding any provisions of the by-law to the contrary, the following zone standards shall apply:</p> <ul style="list-style-type: none"> <li>a. The lot line abutting Ontario Street shall be deemed the front lot line.</li> <li>b. Minimum building height: 1 storey and 6.0 m;</li> <li>c. Minimum landscape open space: 8.7%</li> <li>d. Parking area setback from buildings: 0.0 m</li> <li>e. Parking area setback from street line: 0.0 m</li> <li>f. Minimum number of parking spaces required: 941 spaces</li> <li>g. Minimum number of barrier free parking spaces required 15 spaces</li> <li>h. Minimum setback required from railway right-of way: 14.5 m</li> <li>i. Waste storage facilities are permitted in any yard</li> <li>j. Maximum driveway width for a two-way driveway: 18.3m</li> <li>k. Outdoor retail display is permitted a 0.0 m setback to the exterior side lot line.</li> <li>l. Outdoor Retail Display shall be permitted to occupy a maximum of 27 required parking spaces with the exception of the accessible parking spaces.</li> <li>m. The outdoor storage of store merchandise shall be permitted within the yard abutting Ontario Street within a staging area to a maximum area of 270 sq. m subject to it being fully screened from any street.</li> <li>n. Fencing enclosing a staging area or garden centre in conjunction with a Retail Store 3 is permitted a maximum height of 5.5 metres within the yard abutting Ontario Street and 6.2 m within the yard abutting Main Street.</li> </ul>			

<b>13.1.1.64</b>	144-2003 85-2005 (July 18/05)	UGC-MU	<b>*64</b>
Nipissing Road			
<p><b>i) Zone Standards</b></p> <p>a) Minimum <i>Lot Area</i>: 2087.99m<sup>2</sup>;</p> <p>b) Maximum <i>Front Yard Depth</i>: 25.054m;</p> <p>c) Minimum <i>Interior Side Yard</i>: 2.911m;</p> <p>d) Minimum <i>Landscape Buffer</i> abutting a <i>street line</i>: 2.5m;</p> <p>e) Minimum <i>Landscape Buffer</i> abutting a residential zone: 2.911m</p> <p>f) <i>Setback to any other lot line for parking area</i>: 0.5m</p>			
<b>13.1.1.65</b>	144-2003 103-2005 (Aug 8/05)	M1	<b>*65</b>
53-57 Steeles Avenue E. (1543469 Ontario Limited/ previously Rock'n'Bull)			
<p><b>i) Additional Permitted Use</b></p> <p>a) <i>Motor vehicle repair garage</i> with the exception of a <i>motor vehicle service station</i>.</p>			
<b>13.1.1.66</b>	144-2003 132-2005 (Sept 26/05) 142-2009 (Oct 26/09)	M1	<b>*66</b>
433 Steeles Avenue East			
<p><b>i) Additional Permitted Uses</b></p> <p>a) <i>Drive Through Service Facility</i>;</p> <p>b) Bank</p> <p><b>ii) Special Site Provisions</b></p> <p>a) Number of required <i>Loading Spaces</i>: 1;</p> <p>b) Minimum <i>Setback of Parking Area</i> to westerly lot line: 1.0m;</p> <p>c) Notwithstanding the non-residential parking requirements as set out in Section 5.8.2(ii) – Table 5G to the contrary, a total of 147 parking spaces shall be provided on site for the following <i>uses</i>:</p> <p>A) Office (3000m<sup>2</sup>)</p> <p>B) Restaurant (168m<sup>2</sup>)</p> <p>C) Bank (400m<sup>2</sup>)</p> <p>D) Medical Clinic (470m<sup>2</sup>)</p> <p>Any change in <i>use</i> and/or expansion to the above noted <i>uses</i> shall be subject to the parking requirements as set out in Section 5.8.2 (ii) - Table 5G in the By-law.</p> <p>d) The total number of accessible <i>parking spaces</i> shall be inclusive of the required parking for the permitted <i>use</i>.</p>			

<b>13.1.1.67</b>	144-2003 126-2005 (Sept 26/05)	RMD1	<b>*67</b>
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
<b>i) Zone Standards</b>			
a) Minimum <i>Lot Frontage</i> : 6.0m			

<b>13.1.1.68</b>	144-2003 126-2005 (Sept 26/05) 107-2017(Nov/2017)	RHD	<b>*68</b>
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
<b>i) Zone Standards</b>			
a) Maximum <i>Lot Coverage</i> : 26%;			
b) Minimum <i>Interior Side Yard</i> : 3.4m;			
c) Minimum <i>Required Rear Yard</i> : 3.7m;			
d) deleted			
e) <i>Landscaped Open Space</i> :			
A) Minimum Percentage of <i>Lot Area</i> : 35%;			
B) Minimum <i>Landscape Buffer</i> Abutting a <i>Street Line</i> (*1): 4.0m;			
f) Maximum <i>Fence Height</i> :           2.5m			
<b>ii) Special Site Provisions</b>			
a) <i>Setback of Parking Area</i> to a <i>Street Line</i> : 4.8m;			
b) <i>Setback of Parking Area</i> to a <i>Lot Line</i> : 3.0m;			
c) <i>Underground Parking Structure Setback</i> to a <i>Street line</i> (*1):       0.6m;			
d) <i>Underground Parking Structure Setback</i> to a <i>Lot Line</i> (*1):       0.0m			
Footnote to above provisions:			
(*1)   Stairwells accessing underground parking <i>structures</i> may be located within the minimum <i>landscape buffer</i> abutting a <i>street line</i> .			
e) Minimum Off-Street Parking Requirements: The minimum required off-street tenant parking ratio for an Apartment Building shall be 1.33 spaces per dwelling unit			

<b>13.1.1.69</b>	144-2003 126-2005 (Sept 26/05)	RHD	<b>*69</b>
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
<p><b>i) Additional Permitted Use</b></p> <p>a) <i>Apartment Buildings</i></p> <p><b>ii) Zone Standards</b></p> <p>a) Street A (Laurier Avenue extension) shall be deemed to be the <i>Front Lot Line</i>;</p> <p>b) Minimum <i>Front Yard</i>: 7.5m;</p> <p>c) Minimum <i>Interior Side Yard</i>: 7.5m;</p> <p>d) <i>Landscaped Open Space</i>:</p> <p style="padding-left: 20px;">A) Minimum Percentage of <i>Lot Area</i>: 35%</p> <p><b>iii) Special Site Provisions</b></p> <p>a) <i>Setback of Parking Area to a Street Line</i>: 6.5m;</p> <p>b) <i>Underground Parking Structure Setback to a Lot Line</i>: 0.5m;</p> <p>c) <i>Balconies</i> shall be permitted in <i>interior side yards</i>;</p> <p>d) <i>Porches/Verandas</i> shall be permitted in <i>interior side yards</i>.</p>			

<b>13.1.1.70</b>	144-2003 126-2005 (Sept 26/05) 34-2010 (Mar 20/10) 82-2014 (July 21/14)	RHD	<b>*70a *70b</b>
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
<p>i) For the purposes of this By-law, the definition for a Lot is as follows:</p> <p><b>Lot</b> Means contiguous parcels of land which form part of a draft approved plan of condominium under separate ownership to be developed as a single lot for the purposes of administering the Zoning By-law.</p> <p>ii) For lands zoned Residential High Density – 70a (RHD*70a), the following standards and provisions apply:</p> <p><b>Only Permitted Uses:</b> Two Four-Storey Apartment Buildings Multiple Dwellings</p> <p>iii) For lands zoned Residential High Density – 70b (RHD*70b), the following standards and provisions apply:</p> <p><b>Only Permitted Uses:</b> Multiple Dwellings</p>			

Back-to-back Townhouses

**iv) Special Zone Standards:**

- a) Front Yard: 3.0 m
- b) Minimum Exterior Side Yard for a Multiple Dwelling: 2.4 m
- c) Minimum Exterior Side Yard for an Apartment Building: 8.0 m
- d) Minimum Rear Yard: 9.0 m
- e) Minimum Interior Side Yard for a Multiple Dwelling: 4.3 m
- f) Minimum Interior Side Yard for an Apartment Building: 6.0 m
- g) Maximum Height for a Multiple Dwelling: 4 storeys to a maximum height of 16.5 m
- h) Maximum Height for an Apartment Building: 4 storeys
- i) Maximum Lot Coverage: 32%
- j) Minimum Landscaped Open Space: 35%
- k) Notwithstanding Section 4.6.1, Table 4E, air conditioners and heat exchange units may also be located in a *front yard* or *exterior side yard* provided that they are located on a *balcony*.

**v) Special Parking Provisions:**

- a) Setback of Parking Area to a Street Line: 10.0m
- b) Notwithstanding any provisions to the contrary, Section 5.6.2 shall apply to driveways for multiples and back-to-back townhouses.
- c) Notwithstanding Table 5E, the minimum required parking for an Apartment Building shall be 1.25 tenant *parking spaces* per unit and 0.21 visitor *parking spaces* per unit in a designated visitor *parking area*.
- d) The minimum required parking for Multiple Dwellings in the RHD\*70a portion of the site shall be 1.4 tenant parking spaces per unit and 0.21 visitor parking spaces per unit in a designated visitor parking area.
- e) That Section 5.9 – Accessible parking Requirements of Zoning By-law 016-2014, as amended, shall not apply.

**vi) Special General Provisions:**

- i) Regulations for Accessory Buildings
  - a. Location: any yard
  - b. Maximum Total Area of all Accessory *Buildings* and *Structures*: 40m<sup>2</sup>
  - c. Maximum *Height* of Accessory *Buildings*: 5.5 m
  - d. Setbacks to be in accordance with the setbacks for the principal *use*
- ii) *Balconies* are also permitted in an *interior side yard*.

<b>13.1.1.71</b>	144-2003 142-2005 (Oct 24/05)	EMP-2	<b>*71</b>
30 Market Drive (Balmoral Group Development Corporation) (Old Canadian Tire Site)			
<b>i) Only Permitted Use</b>			
a) <i>Commercial Self-Storage Facility</i>			
<b>ii) Zone Standards</b>			
a) <i>Lot Area</i> : 0.79 ha;			



<p>b) <i>Front Yard</i>: 1.0m;  c) <i>Rear Yard</i>: 3.2m;  d) <i>Interior Side Yard</i>: 0.0m abutting a railway right of way;  e) Minimum <i>Landscape Buffer</i> Abutting a <i>Street Line</i>: 1.5m where the width of the boulevard in a public road allowance exceeds 10m in width.</p> <p><b>iii) Special Site Provisions</b></p> <p>a) <i>Waste Storage Facility</i> location on a Lot: <i>Interior Side Yard</i> provided the <i>waste storage facility</i> maintains a minimum 70m setback from the <i>front lot line</i>;  b) <i>Parking Area</i> location on a Lot: 3.0m to a <i>street line</i> and 0.0m to a <i>side lot line</i>;  c) Minimum Off-Street Parking Requirements: 30 spaces;  d) <i>Loading Space</i> Requirements: designated <i>loading spaces</i> are not required for a <i>commercial self-storage facility use</i> provided that a <i>loading area</i> independent of any required <i>parking spaces</i> is provided adjacent to the <i>building</i> for which the <i>loading area</i> is to be used.</p>
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<b>13.1.1.72</b>	144-2003 5-2006 (Jan 30/06) 120-2010 (Sep 27/10)	C6	*72
Part of Lot 14, Concession V (Trafalgar) (M. Durante Enterprises Inc.)			
<p><b>i) Additional Permitted Use</b></p> <p>a) <i>Hotel</i></p> <p><b>ii) Special Site Provisions</b></p> <p>a) Total combined <i>Gross Floor Area</i>: 10, 332m<sup>2</sup>;  b) <i>Lot Area</i>: 3.77 ha;  c) Maximum <i>Building Height</i> (<i>hotel</i> only): 25m (7 storeys)</p> <p><b>iii) Zone Standards:</b></p> <p>a) Interior Side Yard Setback (Minimum): 0 metres</p> <p><b>iv) Additional Special Site Provisions:</b></p> <p>a) Maximum Gross Floor Area (for individual buildings): 5,000 m<sup>2</sup>  b) Notwithstanding Footnote (*1) associated with the Retail 1 use in Table 7B of the By-law to the contrary, this provision is not applicable for this site.  c) Notwithstanding Section 5.12 - Table 5L of the By-law to the contrary, parking areas shall be able to be setback 0.0 metres from the interior side lot line.  d) Notwithstanding Section 5.12 of the By-law to the contrary, loading areas shall be permitted a setback of 0.0 metres from an interior side lot line.</p>			

<b>13.1.1.73</b>	144-2003 131-2002	GB	<b>*73</b>
185 Campbell Avenue West Part of Lot 1, Plan M-46 and Part of Lot 7, Concession 3 (Nassagaweya) Plan 20M-969 (Stokes Subdivision / Bridlewood Estates)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.74</b>	144-2003 18-2006 (Feb 27/06)	RMD1	<b>*74</b>
Maple Avenue, between Thompson Road & Main Street Part of Lot 15, Concession IV (Trafalgar) (Octavian Meadows Estates Ltd.)			
<p><b>i) Additional Permitted Uses</b></p> <p>a) <i>Office Use</i>; b) <i>Day Care Centre</i></p> <p><b>ii) Additional Zone Provisions</b></p> <p>The following provisions apply to any <i>building</i> or <i>structure</i> used for an <i>office use</i> or a <i>day care centre use</i>:</p> <p>a) <i>Minimum Lot Frontage</i>: 30.0m; b) <i>Minimum Lot Area</i>: 0.2 ha; c) <i>Maximum Lot Coverage</i>: 30%; d) <i>Minimum Front Yard</i>: 6.0m; e) <i>Minimum Rear Yard</i>: 7.5m; f) <i>Minimum Interior Side Yard</i>: 6.0m; g) <i>Maximum Building Height</i>: 9.5m; h) <i>Landscaped Open Space</i>: A) <i>Minimum percentage of Lot Area</i>: 20%; B) <i>Abutting a street line</i>: 4.5m; C) <i>Abutting a Residential Zone</i>: 4.0m; i) <i>Parking and Loading Provisions</i>: required parking for a <i>day care centre</i> or <i>office use</i> is permitted in all <i>yards</i> provided that no part of any <i>parking area</i>, other than the ingress and egress points used for access from the <i>street</i>, is located closer than 7.5m to any <i>street line</i> and no closer than 3.0m to any other <i>lot line</i>.</p>			

<b>13.1.1.75</b>	144-2003 18-2006 (Feb 27/06)	RMD2	<b>*75</b>
Maple Avenue, between Thompson Road & Main Street Part of Lot 15, Concession IV (Trafalgar) (Octavian Meadows Estates Ltd.)			
<p><b>i) Special Site Provisions</b></p> <p>a) more than one <i>dwelling unit</i> may be permitted on a <i>lot</i> or <i>block</i>.</p>			

<b>13.1.1.76</b>	144-2003 35-2006 (Apr 24/06) OMB DECISION / ORDER 2016 (JULY 14/06)	RMD1	<b>*76</b>
Part of the Southwest and Northeast Halves of Lot 10, Concession I, N.S., (Trafalgar) MATTAMY (MILTON WEST) LIMITED - BIASON			
<p><b>i) Zone Standards</b></p> <p><b>Single Detached Dwelling - Lane Access Interior Unit</b></p> <p>a) Minimum <i>Lot Depth</i>: 18.0m; b) Minimum <i>Required Rear Yard to Attached Garage</i>: 0.6m;</p> <p><b>Single Detached Dwelling – Lane Access Corner Unit</b></p> <p>c) Minimum <i>Lot Depth</i>: 18.0m; d) Minimum <i>Required Rear Yard to Attached Garage</i>: 0.6m</p>			

<b>13.1.1.77</b>	144-2003 41-2006 OMB Decision / Order No. 1038 (Apr 5/06) 10-2008 (Jan 28/08)	RMD1	<b>*77</b>
Part of Lots 11 and 12, Concession I (Trafalgar), N/S Derry Road (Fieldgate) (North Derry Developments Limited, South Derry Developments Limited, West Derry Developments Limited and Northwest Derry Developments Limited)			
<p><b>i) Zone Standards</b></p> <p>a) Minimum <i>Required Rear Yard</i>: 7.0m <sup>1</sup> <sup>1</sup> On a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, the minimum <i>required rear yard</i> may be reduced to 0.6 m to a double car garage where a double car garage is provided and 3.9 m to a single car garage where a single car garage is provided.</p> <p><b>ii) Special General Provisions</b></p> <p>Special General Regulations Common to Both <i>Attached</i> and <i>Detached Garages</i>:</p> <p>a) The following provisions apply to <i>attached</i> and <i>detached garages</i> accessed over the <i>exterior side lot line</i>:</p> <p>A) In no case shall the <i>garage face</i> be located any closer than 5.3m from the <i>exterior side lot line</i>;</p> <p>B) In no case shall the outside of the garage door be located any closer than 5.5m from the <i>exterior side lot line</i>;</p> <p>C) Within a double car garage accessed by one single garage door or two individual garage doors, the combined <i>parking spaces</i> shall have a minimum unobstructed size of 5.5m wide by 5.75m long by 2.1m high;</p> <p>Special Regulations for <i>Attached Garages</i>:</p>			

- b) On a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, Section 4.2.2.1 does not apply;
- c) An *attached double car garage* accessed over the *exterior side lot line* shall have a minimum internal dimension of 6.55m wide by 5.75m long by 2.1m high;
- Special Regulations for *Detached Garages*:
- d) On a *corner lot*, where a *detached garage* is accessed over the *exterior side lot line*, the minimum *required exterior side yard* is 5.5m;
- Additional Regulations:
- e) Air Conditioners and Heat Pumps: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling unit* and the *attached garage*, however, such units are not permitted to encroach into the *exterior side yard*;
- f) Encroachments Into *Required Yards*: eaves and gutters may project into a *required front yard, rear yard, interior side yard or exterior side yard* a maximum distance of 0.45m provided that the eaves and gutters are 2.0m above *grade*;
- Decks:
- g) On a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, a *deck* may be located within the *exterior side yard* provided that the *deck* complies with the greater of the minimum *exterior side yard* requirement applicable to the *dwelling unit* or the actual *exterior side yard* measured between the property line and the *dwelling face*.
- h) *Decks* having a *height* greater than 1.2m above finished *grade* shall be permitted in the *rear yard* provided:
- A) The *deck* is not higher than the floor of the *first storey*;
- B) The platform is no closer than 1.2m to a *side lot line*, except where a *side lot line* extends from a *common wall* dividing attached *dwelling units*, the platform shall be no closer than 0.6m;
- C) The platform is located no closer than 5.0m from the *rear lot line*, except, for those *lots* backing onto a Natural Heritage System *Zone*, the platform shall be located no closer than 4.0m to the *rear lot line*;
- i) Individual *Driveway* access to Residential *Dwelling Units*: on a *corner lot*, where an *attached or detached garage* is accessed over the *exterior side lot line*, in no case shall a *driveway* encroach into a *required rear yard*;
- j) Fencing: on a *corner lot*, where an *attached or detached garage* is accessed over an *exterior side lot line*, *fences* and *walls*, having a maximum *height* of 1.8 m, are permitted to enclose that portion of the *yard* bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*;
- k) Visual Clearance at *Driveways*:
- A) on all *lots* abutting a *driveway*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *driveway edge* and the *street line* and a line connecting them at points 2.0m from their intersection;
- B) on any *lot* where a *driveway* enters a *street*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and a line connecting them at points 2.0m from their intersection.

l) Semi-link *Dwellings* for which a building permit or building permits have been issued and the *building* or *buildings* have been constructed prior to October 22, 2008, are permitted. In addition, Semi-link *Dwellings* are permitted on Lots 15, 19, 46, 47, 48, 49, 50, 51, 52, 53, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 161, 163, 176, 178, 206, 208, 209 on Registered Plan 20M-1020 and Lots 98, 121, 141, 143 on Registered Plan 20M-1021 and Lots 28, 30, 119, 122, 123, 125, 145, 146, 147, 148, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 187, 201, 232, 233, 234, 252, 253, 254, 255, 256, 259, 260, 261, 262, 263, 264, 265, 266 on Registered Plan 20M-1040. For the purposes of this subsection, a Semi-link *Dwelling* means two (2) *buildings* each of which consists of not more than one (1) *dwelling unit* attached solely below *established grade* by a connection spanning between the footings of each *building* consisting of a concrete wall which is a minimum of 0.5m in *height* and 10.0cm in thickness.

<b>13.1.1.78</b>	144-2003 42-2006 OMB Decision / Order No. 1038 (Apr 5/06) 9-2008 (Jan 28/08)	RLD	<b>*78</b>
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Part of Lot 13, Concession I (Trafalgar)  
(Main Street (Milton) Corp. and 774052 Ontario Limited – also referred to as Heron)

**i) Only Permitted Use**

- a) *Dwelling, Detached*

**ii) Zone Standards**

- a) Minimum *Lot Depth*: 27.4m;
- b) Maximum *Lot Coverage*: no maximum;
- c) Minimum *Required Rear Yard*: 7.0m <sup>1</sup>

<sup>1</sup> On a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, the minimum *required rear yard* may be reduced to 0.6m to a double car garage where a double car garage is provided and 3.9m to a single car garage where a single car garage is provided.

**iii) Special General Provisions**

- a) Special General Regulations Common to Both *Attached* and *Detached Garages*:
  - A) the following provisions apply to *attached* and *detached garages* accessed over the *exterior side lot line*:
    - i) In no case shall the *garage face* be located any closer than 5.3m from the *exterior side lot line*;
    - ii) In no case shall the outside of the garage door be located any closer than 5.5m from the *exterior side lot line*;
    - iii) Within a double car garage accessed by one single garage door or two individual garage doors, the combined *parking spaces* shall have a minimum unobstructed size of 5.5 metres wide by 5.75 metres long by 2.1 metres high.

- b) Special Regulations for *Attached Garages*:
  - A) On a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, Section 4.2.2.1 does not apply;
  - B) an attached double car garage accessed over the *exterior side lot line* shall have a minimum internal dimension of 6.55 metres wide by 5.75 metres long by 2.1 metres high.
- c) Special Regulations for *Detached Garages*: where a *detached garage* is accessed over the *exterior side lot line*, the minimum *required exterior side yard* is 5.5m.
- d) Air Conditioners and Heat Pumps: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling unit* and the *attached garage*, however, such units are not permitted to encroach into the *exterior side yard*.
- e) Encroachments Into *Required Yards*: eaves and gutters may project into a *required front yard*, *rear yard*, *interior side yard* or *exterior side yard* a maximum distance of 0.45m provided that the eaves and gutters are 2.0m above *grade*.
- f) *Decks*: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, a *deck* may be located within the *exterior side yard* provided that the *deck* complies with the greater of the minimum *exterior side yard* requirement applicable to the *dwelling unit* or the actual *exterior side yard* measured between the property line and the *dwelling face*.
  - A) *Decks* having a *height* greater than 1.2 metres above finished grade shall be permitted in the *rear yard* provided:
    - i) The *deck* is not higher than the floor of the *first storey*;
    - ii) The platform is no closer than 1.2 metres to a *side lot line*, except where a *side lot line* extends from a *common wall* dividing attached *dwelling units*, the platform shall be no closer than 0.6 metre.
    - iii) The platform is located no closer than 5.0 metres from the *rear lot line*, except, for those *lots* backing onto a Natural Heritage System *Zone*, the platform shall be located no closer than 4.0 m to the *rear lot line*.
- g) Individual *Driveway Access to Residential Dwelling Units*: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, in no case shall a *driveway* encroach into a *required rear yard*.
- h) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over an *exterior side lot line*, *fences* and *walls*, having a maximum *height* of 1.8m, are permitted to enclose that portion of the *yard* bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*.
- i) Visual Clearance at *Driveways*:
  - A) on all *lots* abutting a *driveway*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *driveway edge* and the *street line* and a line connecting them at points 2.0 metres from their intersection; and
  - B) on any *lot* where a *driveway* enters a *street*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and a line connecting them at points 2.0 meters from their intersection.

<b>13.1.1.79</b>	144-2003 42-2006 OMB Decision / Order No. 1038 (Apr 5/06) 9-2008 (Jan 28/08)	RMD1	<b>*79</b>
Part of Lot 13, Concession I (Trafalgar), S/S Main Street (Main Street (Milton) Corp. and 774052 Ontario Limited – also referred to as Heron)			
<p><b>i) Zone Standards:</b></p> <p>a) Minimum <i>Required Rear Yard</i>: 7.0m <sup>1</sup></p> <p><sup>1</sup> On a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, the minimum <i>required rear yard</i> may be reduced to 0.6m to a double car garage where a double car garage is provided and 3.9m to a single car garage where a single car garage is provided.</p> <p><b>ii) Special General Provisions:</b></p> <p>a) Special General Regulations Common to Both <i>Attached</i> and <i>Detached Garages</i>, the following provisions apply to <i>attached</i> and <i>detached garages</i> accessed over the <i>exterior side lot line</i>:</p> <p>A) In no case shall the <i>garage face</i> be located any closer than 5.3m from the <i>exterior side lot line</i>;</p> <p>B) In no case shall the outside of the garage door be located any closer than 5.5m from the <i>exterior side lot line</i>;</p> <p>C) Within a double car garage accessed by one single garage door or two individual garage doors, the combined <i>parking spaces</i> shall have a minimum unobstructed size of 5.5m wide by 5.75m long by 2.1m high.</p> <p>b) Special Regulations for <i>Attached Garages</i>:</p> <p>A) On a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, Section 4.2.2.1 does not apply;</p> <p>B) an <i>attached double car garage</i> accessed over the <i>exterior side lot line</i> shall have a minimum internal dimension of 6.55m wide by 5.75m long by 2.1m high.</p> <p>c) Special Regulations for <i>Detached Garages</i>: on a <i>corner lot</i>, where a <i>detached garage</i> is accessed over the <i>exterior side lot line</i>, the minimum <i>required exterior side yard</i> is 5.5m.</p> <p>d) Air Conditioners and Heat Pumps: on a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, air conditioning and heat exchange units are permitted to be located within that portion of the <i>yard</i> located between the <i>dwelling unit</i> and the <i>attached garage</i>, however, such units are not permitted to encroach into the <i>exterior side yard</i>.</p> <p>e) Encroachments Into <i>Required Yards</i>: eaves and gutters may project into a <i>required front yard, rear yard, interior side yard or exterior side yard</i> a maximum distance of 0.45m provided that the eaves and gutters are 2.0m above <i>grade</i>.</p> <p>f) <i>Decks</i>: on a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, a <i>deck</i> may be located within the <i>exterior side yard</i> provided that the <i>deck</i> complies with the greater of the minimum <i>exterior side yard</i> requirement applicable to the <i>dwelling unit</i> or the actual <i>exterior side yard</i> measured between the property line and the <i>dwelling face</i>.</p>			

*Decks having a height greater than 1.2m above finished grade shall be permitted in the rear yard provided:*

- A) The deck is not higher than the floor of the *first storey*;
- B) The platform is no closer than 1.2m to a *side lot line*, except where a *side lot line* extends from a *common wall* dividing attached *dwelling units*, the platform shall be no closer than 0.6m;
- C) The platform is located no closer than 5.0m from the *rear lot line*, except, for those *lots* backing onto a Natural Heritage System Zone, the platform shall be located no closer than 4.0m to the *rear lot line*.
- g) Individual *Driveway Access to Residential Dwelling Units*: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, in no case shall a *driveway* encroach into a *required rear yard*.
- h) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over an *exterior side lot line*, *fences* and *walls*, having a maximum *height* of 1.8m, are permitted to enclose that portion of the *yard* bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*.
- i) Visual Clearance at *Driveways*:
  - A) on all *lots* abutting a *driveway*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *driveway edge* and the *street line* and a line connecting them at points 2.0m from their intersection; and
  - B) on any *lot* where a *driveway* enters a *street*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and a line connecting them at points 2.0m from their intersection.

<b>13.1.1.80</b>	144-2003 42-2006 OMB Decision / Order No. 1038 (Apr 5/06) 102-2008 (Aug 18/08) 103-2011 (Sept 26/11)		<b>*80</b>
<b>DELETED SECTION</b>			



<b>13.1.1.81</b>	144-2003 42-2006 OMB Decision / Order No. 1038 (Apr 5/06)	RMD1	<b>*81</b>
Part of Lot 13, Concession I (Trafalgar) (Main Street (Milton) Corp. and 774052 Ontario Limited – also referred to as Heron)			
<p><b>i) Only Permitted Use</b> a) <i>Dwelling, Townhouse</i></p> <p><b>ii) Zone Standards</b> a) Minimum <i>Required Interior Side Yard</i> for <i>Townhouses</i> Street Access End Units: 0.0m on interior side and 8.0m on the <i>exterior side</i></p> <p><b>iii) Special General Provisions</b> a) <i>Porches/Verandas</i>: the following provisions shall apply: A) Single storey, unenclosed <i>porches/verandas</i> including any <i>stairs</i>, are permitted in the <i>interior side yard</i>; B) Single storey, unenclosed <i>porches/verandas</i> including any <i>stairs</i> where located in an <i>interior side yard</i>, are permitted to encroach into the <i>required yard</i>, but at no time shall be closer than 6.25m to an <i>interior side lot line</i>.</p>			

<b>13.1.1.82</b>	144-2003 43-2006 OMB Decision /Order No. 1263 (Apr 28/06)	RHD	<b>*82</b>
NW corner Main Street & Maple Avenue Part of Lot 14, Concession IV (Trafalgar) (Maple Crossing Developments Inc. / Sutherland)			
<p><b>i) Only Permitted Use</b> a) <i>Apartment Buildings</i></p> <p><b>ii) Zone Standards</b> a) Maximum <i>Lot Coverage</i>: 27.0%; b) Minimum <i>Required Front Yard</i>: 7.5m; c) Minimum <i>Required Rear Yard</i>: 17.0m; d) Minimum <i>Required Exterior Side Yard</i>: 4.0m; e) Minimum <i>Required Interior Side Yard</i>: 4.0m; f) Maximum <i>Height</i>: 4 storeys to a maximum of 15.0m; g) <i>Landscaped Open Space</i>: A) Minimum Percentage of <i>Lot Area</i>: 35%; B) Minimum <i>Landscape Buffer</i>: i) Abutting a <i>Street Line</i>: 4.0m; ii) Abutting a <i>Residential Zone</i><sup>1</sup>: 17.0m</p>			

<sup>1</sup> A below *grade* parking *structure* and underground servicing infrastructure may be located within the *landscape buffer*.

**iii) Special General Provisions**

a) Regulations for *Accessory Buildings*:

- A) Location: any *yard* however in no case shall an *accessory building* be located within a *required rear yard*;
- B) Total Coverage of all *Accessory Buildings and Structures* (maximum): 5% of the *lot area*;
- C) *Height of Accessory Buildings* (maximum): 9.25m;
- D) *Setbacks* (minimum)<sup>2</sup>: 1.5m

<sup>2</sup> Gazebo *structures* and entry features may be located within the minimum *landscape buffer* abutting a *street line*.

- b) Fencing: within a *front yard*, the maximum *fence height* shall be no higher than 1.2m.
- c) Special Parking Provisions:
  - A) *Setback of Parking Area to a Street Line*: 6.5m;
  - B) *Setback to an Interior Side Lot Line*: 2.5m

<b>13.1.1.83</b>	144-2003 59-2006 (June 26/06)	M1	<b>*83</b>
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**i) Additional Permitted Use**

- a) *Motor vehicle Dealership*

**ii) Special Site Provisions**

- a) For the purposes of this section, a *motor vehicle dealership* shall mean a *premises* where new or used *motor vehicles* are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a *motor vehicle repair garage* or *motor vehicle body shop* but shall not include a *motor vehicle service station* or *motor vehicle gas bar*;
- b) Outdoor Auditory Systems: the *use* of outdoor auditory signaling devices such as outdoor paging systems or outdoor speakers shall not be permitted.

<b>13.1.1.84</b>	144-2003 116-2006 (Oct 23/06) 19-2008 (Feb 25/08)	C3	<b>*84</b>
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SE corner of Derry Road & Holly Avenue  
Block 284, Registered Plan 20M-960, Part Lot 10, Concession 3 N.S. (Trafalgar)  
[MATTAMY (BROWNRIDGE) LTD LAI]

**i) Additional Permitted Uses**

- a) *Fitness Centre*;
- b) Self Brew Establishment;
- c) *Commercial School*

**ii) Special Site Provisions**

- a) The *lot line* abutting Holly Avenue shall be deemed the *Front Lot Line*.
- b) Maximum *Lot Area*: 8500m<sup>2</sup>;
- c) Maximum *Lot Coverage*: 35%;
- d) Maximum *Gross Floor Area*: 2740m<sup>2</sup>
  - A) ground floor: 1490m<sup>2</sup>
  - B) second floor: 1250m<sup>2</sup>;
- e) Maximum *Building Height*: 11.5m;
- f) Minimum *Front Yard Depth*: 0.6m;
- g) Minimum *Landscape Buffer*
  - A) Abutting a *street line*: 0.0m;
  - B) Abutting a *Residential Zone*: 0.0m;
- h) Minimum *Setback* of a *Waste Storage Facility* from a *Residential Zone*: 5.0m;
- i) Maximum *height* permitted for an accessory *building* containing *waste storage facilities*: 4.0m;
- j) Permanent window awnings are permitted to encroach to the *front* and *exterior side* property lines providing they are 2.0m above *grade*.
- k) Number of required *Loading Spaces*: 1 space  
Minimum size 6.0m x 3.5m

<b>13.1.1.85</b>	144-2003 116-2006 (Oct 23/06)	C6	<b>*85</b>
SE corner of Derry Road & Holly Avenue Block 284, Registered Plan 20M-960, Part Lot 10, Concession 3 N.S. (Trafalgar) [MATTAMY (BROWNRIDGE) LTD LAI]			
<p><b>i) Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>Dwelling unit</i>;</li> <li>b) <i>Art Gallery</i>;</li> <li>c) <i>Artist Studio</i>;</li> <li>d) <i>Commercial School</i>;</li> <li>e) <i>Bank</i>;</li> <li>f) <i>Medical clinic</i>;</li> <li>g) <i>Office</i>;</li> <li>h) <i>Personal service shop</i>;</li> <li>i) <i>Retail</i> (Ground/first floor only)</li> </ul> <p><b>ii) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) Minimum <i>Lot Area</i>: 115m<sup>2</sup>;</li> <li>b) Minimum <i>Lot Frontage</i>: 6m;</li> <li>c) Maximum <i>Lot Coverage</i>: 100%;</li> <li>d) Maximum <i>Gross Floor Area-Work</i> <ul style="list-style-type: none"> <li>A) Maximum total <i>Gross Floor Area</i>: 1850m<sup>2</sup>;</li> <li>B) Maximum total <i>Gross Floor Area</i> (non residential-ground floor): 365m<sup>2</sup>;</li> <li>C) Maximum <i>Gross Floor Area</i> for individual Unit 82m<sup>2</sup>;</li> </ul> </li> <li>e) Maximum <i>Building Height</i>: 12.0m;</li> <li>f) Minimum <i>Front Yard Depth</i>: 0.0m;</li> </ul>			

<p>g) Minimum <i>Rear Yard Depth</i>: 0.0m;  h) Minimum <i>Exterior Side Yard</i>: 0.6m;  i) Minimum <i>Interior Side Yard</i>: 1.2m;  j) Minimum <i>Landscaped Open Space</i>: 0%;  k) Minimum <i>Landscape Buffer</i>      A) Abutting a <i>street line</i>: 0.0m;      B) Abutting a <i>Residential Zone</i>: 0.0m;  l) Permanent window awnings and balconies are permitted to encroach to the <i>front</i> and <i>exterior side</i> property lines provided they are 2.0m above <i>grade</i>.  m) Minimum Off-Street Parking      A) 2 <i>parking spaces</i> per <i>dwelling unit</i>;      B) 1 <i>paring space</i> per no-residential unit, which is to be provided on abutting lands          Zoned C3*84.</p>
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<b>13.1.1.86</b>	144-2003 88-2006 (Aug 8/06)	RMD1	<b>*86</b>
<p>South of CN tracks, E/S of Thompson Road  Part of Lot 13, Concession IV (Trafalgar)  (Beverly Hills Estates Holdings Inc.)</p>			
<p><b>i) Special Zone Provisions</b>  a) The following <i>Zone</i> standards and provisions apply to any <i>townhouse dwelling</i>:      A) Minimum <i>Lot Frontage</i> for Street Access End Unit: 5.5m;      B) <i>Decks</i>: the maximum <i>height</i> of a <i>deck</i> from finished <i>grade</i> is 4.0m.</p> <p><b>ii) Railway Rights-of-Way Setbacks:</b>  a) No <i>buildings</i> or <i>structures</i> shall be located closer than 29.0m from any railway right of way.</p>			

<b>13.1.1.87</b>	144-2003 94-2006 (Aug 8/06) 102-2006 (Sept 25/06)	FD	<b>*87</b>
<p>Part of Lot 9, Concession 1 (Trafalgar)  [Mattamy (Milton West) Limited]</p>			
<p><b>i) Special Site Provisions</b>  a) Minimum Required <i>Front yard</i>: 18.0m;  b) Minimum Required <i>Rear Yard</i>: 18.0m;  c) Minimum Required Side Yard: 9.0m;</p> <p><b>ii) Zone Standards</b>  a) Maximum <i>Height</i> of house assembly factory: 20m;  b) All required <i>parking spaces</i> and <i>parking areas</i> shall be exempt from the surface treatment requirement;  c) Sections 5.11.1(iii) and 5.6.1Table 5B shall not apply.</p>			

<b>13.1.1.88</b>	144-2003 103-2006 (Sept 25/06)	CBD-A	<b>*88</b>
<p>164-174 Mill Street Block 5, Lots 50, 52 and 54 Martin Survey. (1450188 Ontario Inc - DiPalma)</p>			
<p><b>i) Additional Permitted Use</b> a) Office <i>Building</i></p> <p><b>ii) Special Site Provisions</b> a) <i>Office uses, Bank uses and commercial school (skill) uses</i> are permitted in the first story of a <i>building</i>.</p>			

<b>13.1.1.89</b>	144-2003 103-2006 (Sept 25/06)	EMP-2	<b>*89</b>
<p>150 Steeles Avenue Part of Lot 1, Plan 364 and Part of Lot 15, Concession 2, NS (Dobray Foods)</p>			
<p><b>i) Additional Permitted Use</b> a) <i>Motor vehicle Dealership</i></p> <p><b>ii) Excluded Uses</b> a) Daycare; b) <i>Hotel</i>; c) <i>Place of Assembly</i>; d) <i>Place of Worship</i>;</p> <p><b>iii) Special Site Provisions:</b> a) For the purpose of this section, a <i>motor vehicle dealership</i> shall mean a <i>premises</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a <i>motor vehicle repair garage</i> or <i>motor vehicle body shop</i> but <b>shall not</b> include a <i>motor vehicle service station</i> or <i>motor vehicle gas bar</i>. b) Outdoor Auditory Systems: the <i>use</i> of outdoor auditory signaling devices such as outdoor paging systems or outdoor speakers shall not be permitted.</p>			

<b>13.1.1.90</b>	144-2003 101-2006 (Sept 25/06)	RMD2	<b>*90</b>
Part of Lot 10, Concession 4 (Trafalgar) [Transcon Properties Limited (Redwood Homes (Milton) Inc)]			
<p><b>i) Zone Standards</b></p> <p><b>Townhouses</b></p> <p>a) Street Access Interior Unit – Minimum <i>Lot Frontage</i>: 5.9m;  b) Street Access End Unit – Minimum <i>Lot Frontage</i>: 7.5m;  c) Minimum required <i>Exterior Side Yard</i> adjacent to a common element <i>parking area</i>: 1.8m;</p> <p><b>Back-to-Back Townhouses</b></p> <p>e) Minimum <i>Lot Depth</i>: 12.5m;  f) Street Access Interior Unit - Minimum <i>Lot Frontage</i>: 5.9m;  g) Street Access End Unit - Minimum <i>Lot Frontage</i>: 7.5m;  h) Street Access <i>Corner</i> Unit - Minimum <i>Lot Frontage</i>: 7.2m;  i) Street Access <i>Corner</i> Unit - Minimum Required <i>Exterior Side yard</i>: 2.2m;  j) Minimum Required <i>Front yard</i>: 3.75m  f) For the purpose of this section the definition of a daylight radii shall apply to a <i>private street</i> and <i>street line</i> shall also mean the boundary between a <i>private street</i> and a part <i>lot</i>. For the purpose of determining <i>lot frontage</i> and <i>lot depth</i> for a <i>corner lot</i> with <i>corner</i> daylight radii, the daylight radii is deemed not to exist.  g) Minimum <i>setback</i> from the <i>lot line</i> radius at the street intersection: 1.8m.  h) Minimum required <i>Exterior Side Yard</i> adjacent to a common element <i>parking area</i>: 1.15m.</p>			

<b>13.1.1.91</b>	144-2003 101-2006 (Sept 25/06)	MC	<b>*91</b>
Part 1 on Reference Plan 200R-16541, Part Block 176, Registered Plan 20M-813. [4713015 Canada Inc. (Riocan Reit) and Home Depot Holdings Inc]			
<p><b>i) Additional Permitted Uses:</b></p> <p>a) <i>Food Store</i>  b) <i>Personal Service Shop</i>  c) <i>Retail Store 1</i> in the buildings municipally known as:  1001 Maple Avenue  1003 Maple Avenue  1009 Maple Avenue  1071 Maple Avenue  1079 Maple Avenue  1095 Maple Avenue  1099 Maple Avenue  1155 Maple Avenue</p> <p><b>ii) Zone Standards:</b></p> <p>a) <i>Front Yard Setback</i> (Minimum):  i. Where a <i>building Height</i> is 11.0m or less: 3.0 m;  ii. Where a <i>building Height</i> is 11.0m greater: 9.0 m;</p>			

- b) *Exterior Side Yard Setback* (Minimum):  
(Maple Avenue)
  - i. Where a *building Height* is 11.0m or less: 5.0 m;
  - ii. Where a *building Height* is 11.0m greater: 9.0 m;
- c) *Landscape buffer abutting* Thompson Road (Minimum): 3.0 m.
- d) Gross Floor Area:
  - i. *Food Store* (Maximum): 4113m<sup>2</sup>

**iii) Additional Zone Standards:**

- a) Notwithstanding any provision to the contrary, multiple *lots* under separate ownership shall be developed as a single *lot* for the purposes of administering the *Zoning* By-law.
- b) For the purposes of this By-law, Thompson Road shall be deemed to be the *Front Lot Line* for the purposes of administering the *Zoning* By-law.
- c) *Garden centers* located in a free-standing, single-unit *accessory building* or *structure* shall located within 25 m of a *building* containing a permitted principal use.

**iv) Special Definitions:**

Notwithstanding any definition to the contrary, for the purposes of this By-law, the following shall apply:

**LOT LINE**

Means the perimeter of a *lot* at its outermost boundary for the purposes of administering the *Zoning* By-law.

<b>13.1.1.93</b>	144-2003 128-2006 (Oct 23/06) 78-2007 (Aug 7/07)	MC	<b>*93</b>
<p>Steeles Avenue East Part Lot 1, Concession 4 and 5 and Part Lot 15, Concession 4, 1180 (First Gulf Development Corporation)</p>			
<p><b>i) Additional Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) <i>Video Retail Store</i></li> <li>b) <i>Personal Service Shop</i></li> <li>c) <i>Retail Store 1</i></li> </ul> <p><b>ii) Zone Standards:</b></p> <ul style="list-style-type: none"> <li>a) <i>Front Yard Setback (Minimum):</i> 3.0 m;</li> <li>b) <i>Interior Side Yard Setback (Minimum):</i> 3.0 m;</li> <li>c) <i>Landscape Open Space (Minimum):</i> <ul style="list-style-type: none"> <li>i. <i>Abutting a street line:</i> 3.0 m;</li> <li>ii. <i>Abutting a Provincial Highway:</i> 6.0 m included within required yard setbacks.</li> </ul> </li> <li>d) <i>Gross Floor Area:</i> <ul style="list-style-type: none"> <li>i. Notwithstanding any provision to the contrary, that up to 1,115m<sup>2</sup> of a multi-unit <i>building</i> shall be permitted a minimum individual <i>Gross Floor Area</i> of 280m<sup>2</sup> per <i>retail store</i>.</li> </ul> </li> </ul>			

<b>13.1.1.94</b>	144-2003 130-2006 OMB Decision /Order No. 2916 (Oct 18/06) 9-2008 (Jan 28/08)	RLD	<b>*94</b>
<p>Part Lot 13, Concession 1 (Trafalgar) [Main Street (Milton) Corp. 774052 Ontario Ltd]</p>			
<p><b>i) Only Permitted Use:</b></p> <ul style="list-style-type: none"> <li>a) <i>Dwelling, Detached</i></li> </ul> <p><b>ii) Zone Standards</b></p> <ul style="list-style-type: none"> <li>a) <i>Minimum Lot Depth:</i> 27.4m;</li> <li>b) <i>Maximum Lot Coverage:</i> <ul style="list-style-type: none"> <li>A) 25% for <i>building height</i> greater than 8m from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</li> <li>B) 35% for <i>building height</i> of 8m or less from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</li> </ul> </li> <li>c) <i>Minimum Required Front yard:</i> 7.5m;</li> <li>d) <i>Maximum Building Height:</i> 11m from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</li> </ul>			



- e) Minimum Required *Rear Yard*: 7.5m
- f) *Decks* having a *height* greater than 1.2m above finished *grade* shall be permitted in the *rear yard* provided:
  - A) The *deck* is not higher than the floor of the *first storey*;
  - B) The platform is no closer than 1.2m to a *side lot line*, except where a *side lot line* extends from a *common wall* dividing attached *dwelling units*, the platform shall be no closer than 0.6m.
  - C) The platform is located no closer than 5.0m from the *rear lot line*, except, for those *lots* backing onto a Natural Heritage System *Zone*, the platform shall be located no closer than 4.0m to the *rear lot line*.

<b>13.1.1.95</b>	144-2003 130-2006 OMB Decision /Order No. 2916 (Oct 18/06) 9-2008 (Jan 28/08)	RLD	<b>*95</b>
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Part Lot 13, Concession 1 (Trafalgar)  
[Main Street (Milton) Corp. 774052 Ontario Ltd]

**i) Only Permitted Use:**

- a) *Dwelling, Detached*

**ii) Zone Standards**

- a) Minimum *Lot Depth*: 27.4m;
- b) Maximum *Lot Coverage*:
  - A) 25% for *building height* greater than 8m from the highest finished *grade* beside the *building* footprint to the peak of the *roof* (excluding chimneys);
  - B) 35% for *building height* of 8m or less from the highest finished *grade* beside the *building* footprint to the peak of the *roof* (excluding chimneys);
- c) Minimum Required *Front yard*: 7.5m;
- d) Maximum *Building Height*: 11m from the highest finished *grade* beside the *building* footprint to the peak of the *roof* (excluding chimneys);
- e) Minimum Required *Rear Yard*: 7.5m
- f) *Decks* having a *height* greater than 1.2m above finished *grade* shall be permitted in the *rear yard* provided:
  - A) The *deck* is not higher than the floor of the *first storey*;
  - B) The platform is no closer than 1.2m to a *side lot line*, except where a *side lot line* extends from a *common wall* dividing attached *dwelling units*, the platform shall be no closer than 0.6m.
  - C) The platform is located no closer than 5.0m from the *rear lot line*, except, for those *lots* backing onto a Natural Heritage System *Zone*, the platform shall be located no closer than 4.0m to the *rear lot line*.

<b>13.1.1.96</b>	144-2003 55-2007 (May 28/07)	RHD	<b>*96</b>
Part of Lot 10, Concession IV (Trafalgar) (Summerwood Estates Inc)			
<p><b>i) Only permitted Use</b></p> <p>a) Apartment <i>Buildings</i></p> <p><b>ii) Special Zone Standards</b></p> <p>a) Minimum Required <i>Interior Side Yard</i>: 3.0m; b) Maximum <i>Height</i>: 5 storeys</p>			
<b>13.1.1.97</b>	144-2003 35-2007 (Mar 26/07)	GC	<b>*97</b>
11660 Guelph Line Part of Lot 20, Concession 3 (Nassagaweya) (Brookville <i>Golf Course</i> ) (1621025 Ontario Ltd)			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			
<b>13.1.1.98</b>	144-2003 35-2007 (Mar 26/07)	OS	<b>*98</b>
11660 Guelph Line Part of Lot 20, Concession 3 (Nassagaweya) (Brookville <i>Golf Course</i> ) (1621025 Ontario Ltd)			
<b>SUBJECT TO BYLAW 144-2003 PERMITTED USES AND PROVISIONS</b>			
<b>13.1.1.100</b>	144-2003 65-2007 (June 25/07)	M1	<b>*100</b>
405 Industrial Drive – Units 18 & 19 Part Block 1, R.P 20M-274, Halton Condo Plan 168, Level 1, Units 18 and 19 only (1275921 Ontario Inc – Motion Endeavours)			
<p><b>i) Additional Permitted Uses</b></p> <p>a) <i>Motor Vehicle Dealership</i></p> <p><b>ii) Special Site Provisions</b></p> <p>a) For the purpose of this section, a <i>motor vehicle dealership</i> shall mean a <i>premises</i> where new or used <i>motor vehicles</i> are offered for sale, rent or lease but <b>shall not</b> include a <i>motor vehicle repair garage</i> or <i>motor vehicle body shop</i> or the <i>outdoor display</i> or storage of <i>motor vehicles</i>.</p> <p>b) Outdoor Auditory Systems: The <i>use</i> of outdoor auditory signaling devices such as outdoor paging systems or outdoor speakers shall not be permitted.</p>			

<b>13.1.1.101</b>	144-2003 72-2007 (July 16/07)	RMD2	<b>*101</b>
426 Pine Street Part of Lot 1, Block 17, Registered Plan No. 9 Teetzels Survey			
<b>i) Zone Standards</b> <b>Apartment Building</b> a) Minimum <i>Lot Frontage</i> : 20.0m; b) Minimum Required <i>Front yard</i> : 3.0m; c) Minimum Required <i>Rear Yard</i> : 13.7m; d) Minimum Required <i>Interior Side Yard</i> (on western side of <i>building</i> only): 1.2m; e) Minimum Required <i>Interior Side Yard</i> (on eastern side of <i>building</i> only): 5.4m; f) Minimum <i>Landscape Open Space</i> : 14.5%; g) Minimum <i>Driveway Access</i> for a One-way <i>Driveway</i> : 5.1m; h) Minimum <i>Parking Area Distance to Lot Line</i> : 1.2m; i) Off Street Parking Requirement–Per Unit: 1 space; j) Barrier Free Parking Requirement: nil; k) Visitor Parking Requirement: nil; l) Minimum <i>Parking Space</i> width: 2.75m; m) Minimum <i>Parking Space</i> length: 5.49m; n) Minimum <i>Setback of Parking Area</i> to South Side of <i>Building</i> : 1 m; o) <i>Setback of Parking Area/Driveway</i> to East side of <i>Building</i> : 0.0m			

<b>13.1.1.102</b>	144-2003 124-2007 OMB Decision /Order No. 1693 (June 19/07)		<b>*102</b>
<b>DELETED SECTION</b>			

<b>13.1.1.103</b>	144-2003	MC	<b>*103</b>
Part of Lot 15, Concession 4, Town of Milton (Geographic Township of Trafalgar), Regional Municipality of Halton (H. Snoek in Trust/First Gulf Development Corporatrion)			
<b>i) i Additional Permitted Uses:</b> a) <i>Commercial School – Trade;</i> b) <i>Department Store;</i> c) <i>Home and Auto Supply Store;</i> d) <i>Home Improvement Centre;</i> e) <i>Motor Vehicle Dealership;</i> f) <i>Motor Vehicle Rental Agency;</i> g) <i>Motor Vehicle Repair Garage;</i> h) <i>Specialty Food Store.</i> i) <i>Motor Vehicle Gas bar operated in conjunction with a permitted use</i> j) <i>Retail Store 1</i>			

**ii) Special Zone Standards:**

- a) *Interior Side Yard Setback* (Minimum): 3.0 m;
- b) *Gross Floor Area* (Maximum):  
Total *Gross Floor Area* for all *buildings* shall not exceed 39,000m<sup>2</sup>, and shall comply with the following:
  - i) *Gross Floor Area Per Individual Use* (Maximum):  
*Department Store* – 17,775 sq. metres  
*Home Improvement Centre* – 11,700 sq. metres  
*Home and Auto Supply Store* – 11,700 sq. metres  
*Theatre* – 3255sq. metres
  - ii) *Retail stores*, excluding *department stores*, *home improvement centre* and *specialty food stores*, shall have a collective *Gross Floor Area* total not exceeding 13,935m<sup>2</sup> for all *retail stores* and shall provide a minimum *Gross Floor Area* of 465m<sup>2</sup> per individual *Retail Store*;
  - iii) Notwithstanding ii) above, *Retail Stores* located within a multi-unit *building* having a collective *Gross Floor Area* total not exceeding 1395m<sup>2</sup> shall be permitted a minimum individual *Gross Floor Area* of 280m<sup>2</sup> per *Retail Store*.
  - iv) The *total Gross Floor Area* for a *Food Store accessory* to an existing *Department Store* shall not exceed 4450m<sup>2</sup>.
- c) *Landscape Open Space* (Minimum): 10%;
- d) *Landscape Buffer* (Minimum):  
*Abutting a street line*: 4.5 m;  
*Abutting a Provincial Highway*: 6.0 m;
- e) *Lot Coverage* (Maximum): 30%.
- f) Where a *garden centre* is permitted as an *accessory use*, the provisions of Section 4.15 shall apply.

**iii) Additional Zone Standards:**

- a) Notwithstanding any provision to the contrary, multiple *lots* under separate ownership shall be developed as a single *lot* for the purposes of administering the *Zoning By-law*.
- b) For the purposes of this By-law, *Steeles Avenue* shall be deemed to be the *Front Lot Line* for the purposes of administering the *Zoning By-law*.

**iv) Special Site Provisions:**

- a) *Fencing* and *Privacy Screens*: Shall only be permitted as part of any entry feature, land feature in a required *Landscape Buffer*, or to screen *loading spaces* and *service areas*;
- b) *Encroachments*: Notwithstanding any other provision to the contrary contained in this By-law, wheelchair ramps shall be permitted a 0.0m *setback* from any *lot line*;
- c) *Pedestrian Walkways*: Shall be a minimum 1.5 m wide;
- d) *Illumination*: The maximum permitted *height* for all free-standing and *wall mounted* lighting fixtures shall be 11.0 m;

- e) Notwithstanding any provision to the contrary, a required *landscape buffer abutting a Provincial Highway* shall be included in the required *yard setbacks*.

**v) Special Parking Provisions**

- a) *Parking Area setback* from a *building*, excluding *parking spaces* (Minimum): 1.5 m;
- b) Notwithstanding the above, *parking spaces* within a *parking area* shall be *setback* a minimum 2.2 m from a *building*;
- c) *Accessible Parking Requirements* (Minimum): 1.5% of total required *parking* for the site;
- d) *Size Requirements of Off-Street Parking Spaces* (Minimum):

Type	REQUIRED DIMENSIONS	
	Length	Width
Perpendicular – Parking Space	5.5 m	2.75 m
Accessible- Parking Space		
Single Space	5.5 m	3.75 m
Adjoining Spaces	7.0 m	5.5 m

**vi) Special Definitions**

Notwithstanding any definition to the contrary, for the purposes of this By-law, the following shall apply:

**DEPARTMENT STORE**

Means a *retail store* offering for sale a wide range of merchandise and personal and professional services, which may have *Outdoor Display* and *Outdoor Storage* and may include, inter alia, a *Garden Centre*, a *Restaurant*, a *Propane Facility*, a *Food Store*, *Retail* and a *Motor Vehicle Service Station* as *accessory uses*. A *Department Store* shall not include a *Home Improvement Centre*, a *Home and Auto Supply Store* or a *Retail Warehouse*.

**FOOD STORE**

Means a *retail* establishment having a minimum *floor area* of 2000 square metres, primarily engaged in the sale of food and grocery items and which may sell other *accessory* merchandise such as convenience items, household supplies, hardware, patent medicines and personal care products and which may include a seasonal *accessory garden centre*.

**FOOD STORE, SPECIALTY**

Means a *retail store* having a maximum *floor area* under 2,000 square metres, primarily engaged in the sale of food and grocery items and which may sell other *accessory* merchandise such as convenience items.

**GARDEN CENTRE**

Means a *retail store* used for the display and *retail* sale of flowers, plants, trees and shrubs and including the retail sale of such goods, products and equipment as are normally associated with gardening or landscaping.

**HOME IMPROVEMENT CENTRE**

Means a retail store in which housewares and a wide range of materials, merchandise and equipment for construction and home improvement are offered for sale or rent, which may have *Outdoor Display* and *Outdoor Storage*, and may include, inter alia, a *Restaurant*, a *Propane Facility*, *Retail* and a *Garden Centre* as *accessory uses*.

**HOME AND AUTO SUPPLY STORE**

Means a *retail store* in which vehicular parts, accessories, tools and supplies, as well as a wide range of housewares and *home improvement materials* and equipment are offered for sale and may have *Outdoor Display* and *Outdoor Storage*, and may include, inter alia, a *Restaurant*, a *Propane Facility*, *Retail*, a *Garden Centre*, and a *Motor Vehicle Service Station* as *accessory uses*.

**LOT LINE**

Means the perimeter of a lot at its outermost boundary for the purposes of administering the *Zoning By-law*.

<b>13.1.1.104</b>	144-2003 134-2007 (Oct 22/07) 34-2008 (Mar 31/08)	RMD1	<b>*104</b>
Part of the Southwest and Northeast Halves of Lot 10, Concession I, N.S., (Trafalgar) [Mattamy (Milton West) Ltd, 'Biason Phase 2-4']			
<b>i) Special Zone Standards</b>			
a) Single <i>Detached Dwelling-Street Access Corner</i> : an <i>attached garage</i> may be located no closer than 0.6m from the <i>rear lot line</i> , if the garage is accessed by a <i>driveway</i> crossing the <i>exterior side lot line</i> .			
<b>ii) Special Residential Provisions</b>			
a) Street Front Treatment of <i>Detached Dwellings</i> :			
A) The <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include the <i>porch</i> or <i>veranda</i> , of 3.3m provided that no more than 60% of the <i>building face</i> is used for the garage portion of the elevation;			
B) In the case of a staggered double car garage, the <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include a <i>porch</i> or <i>veranda</i> , of 2.5m, provided the <i>setback</i> from the <i>dwelling face</i> to the <i>front lot line</i> does not exceed the <i>setback</i> from the garage door to the <i>front lot line</i> ;			
C) Where a garage door faces the <i>interior side lot line</i> or the <i>rear lot line</i> the wall of the garage nearest the <i>front lot line</i> and the wall of the garage nearest the <i>exterior lot line</i> shall be considered <i>dwelling face</i> .			
<b>iii) Special Zone Provisions</b>			
a) Special General Rules for <i>attached garages</i> :			

- A) In the case of a staggered double car garage, one garage is permitted to have a minimum *setback* of 2.0m to the *front lot line* providing that the second garage has a minimum *setback* of 5.5m to the *front lot line*;
- B) Where a garage door faces an interior side *lot line* the garage door and the wall of the garage nearest to the *front lot line* shall have a minimum *setback* of 2.0m;
- b) Air Conditioners and Heat Pumps on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the *dwelling unit* and the *attached garage*, however, such units are not permitted to encroach into the *exterior side yard*.
- c) *Porches* and *Verandas* are permitted to encroach into the required *interior side yard*, but at no time shall they be located closer than 0.9m to the *side lot line*;
- d) Landings shall have a maximum width of 3.0m along the rear *dwelling face* and a maximum depth of 1.5m;
- e) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, *fences* and walls having a maximum *height* of 2.0m are permitted to enclose that portion of the yard bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*;
- f) Visual Clearance at *Driveways*: on any *lot* where a *driveway* enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and the line connecting them at points 1.0 from their intersection.

<b>13.1.1.105</b>	134-2007 (Oct 22/07)	I-A	<b>*105</b>
Part of the Southwest and Northeast Halves of Lot 10, Concession I, N.S., (Trafalgar) [Mattamy (Milton West) Ltd, 'Biacon Phase 2-4']			
<b>i) Special Site Provisions</b>			
a) In addition to <i>uses</i> permitted in Minor Institutional (I-A) <i>Zone</i> , RMD1 <i>uses</i> in accordance with the provisions of Table 6C, and RMD2 <i>uses</i> in accordance with Table 6D shall be permitted.			

<b>13.1.1.106</b>	144-2003 34-2008 (Mar 31/08)	RO	<b>*106</b>
Part of Lot 10, Concession 3 NS (Trafalgar) (Mattamy Brownridge Ltd. McCann Property-Model Home Complex)			
<b>i) Special Zone Standards</b>			
a) <i>Model homes</i> will be permitted on lands outside of a draft approved plan of subdivision.			

<b>13.1.1.107</b>	144-2003 26-2008 (Feb 25/08)	RO	<b>*107</b>
Part 1 and 2, Plan 20R-16045, Part of Lot 11, Concession IV (Trafalgar) (Loganbrook Development)			
<p><b>i)</b> For the purposes of this section, the definition for a <i>Live-Work Unit</i> is as follows: Means a <i>dwelling unit</i>, part of which may be used as a business establishment and the <i>dwelling unit</i> is the principal residence of the business operator.</p> <p><b>ii)</b> a <i>live-work unit</i> is a permitted <i>use</i> and the following is the list of permitted <i>uses</i> as part of that <i>live-work unit</i>:</p> <ul style="list-style-type: none"> <li>a) <i>Dwelling Unit</i>;</li> <li>b) <i>Art Gallery</i>;</li> <li>c) <i>Artist Studio</i>;</li> <li>d) <i>Commercial School - skill</i>;</li> <li>e) <i>Convenience Store</i>;</li> <li>f) <i>Cottage Industry</i>;</li> <li>g) <i>Dry Cleaning Depot</i>;</li> <li>h) <i>Bank</i>;</li> <li>i) <i>Fitness Centre</i>;</li> <li>j) <i>Home Day Care</i>;</li> <li>k) <i>Office</i>;</li> <li>l) <i>Personal Service Shop</i>;</li> <li>m) <i>Retail Store – Convenience Retail</i>;</li> <li>n) <i>Specialty Food Store</i>;</li> </ul> <p><b>iii) General Provisions</b> for <i>Live-Work Units</i> are as follows:</p> <ul style="list-style-type: none"> <li>a) The business establishment is restricted to the <i>first storey</i>;</li> <li>b) The <i>first storey</i> shall have a minimum ceiling <i>height</i> of 2.75m above <i>grade</i>;</li> <li>c) The business establishment may employ one or more persons residing within the associated household and no more than two additional employees;</li> <li>d) A live work unit may be located within a <i>building</i> containing no more than eight live-work units that is divided vertically and whereby each <i>dwelling unit</i> and each “work” unit has an independent entrance into the unit from the outside or containing no more than thirteen live-work units, provided that no more than seven of the units in the block are fronting onto the same street when fronting onto a <i>public street</i>.</li> </ul> <p><b>iv) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) The Thompson Road <i>frontage</i> is deemed to be the <i>front yard</i> of the <i>lot</i>.</li> <li>b) The following provisions shall apply to <i>live-work units</i>: <ul style="list-style-type: none"> <li>A) Maximum <i>Lot Coverage</i>: 35%;</li> <li>B) Maximum <i>Gross Floor Area</i> – Live Work Units: <ul style="list-style-type: none"> <li>i) Maximum total <i>Gross Floor Area</i>: 12,225m<sup>2</sup></li> <li>ii) Maximum <i>Gross Floor area</i> (non residential – ground floor): 3,500m<sup>2</sup></li> <li>iii) Maximum <i>Gross Floor Area</i> for individual unit (non-residential): 125m<sup>2</sup></li> </ul> </li> <li>C) Minimum Required <i>Front yard</i>: 1.5m</li> <li>D) Minimum Required <i>Exterior Side Yard</i>: 1.5m</li> </ul> </li> </ul>			



- E) Minimum Required Distance between *Buildings* containing live-work units: 3.7m
- F) Maximum *Building Height*: 12.5m
- G) Minimum Required *Landscaped Open Space*: 22%
- H) Minimum Required *Landscape Buffer* adjacent to a residential *Zone*: 4.0m
- I) Minimum required *landscape buffer* along a *front yard* or an *exterior side yard*: 1.5m
- c) The following provisions shall apply to a Parcel of Tied Land only, as defined in the Condominium Act and the entrance to the work portion of the *live-work unit* is deemed to be the *front yard*:
  - A) Minimum required *Lot Depth*: 25m
  - B) Minimum required *lot frontage*: 6m
  - C) Minimum required *Front yard* depth: 0m
  - D) Minimum required *rear yard* depth: 5.8m
  - E) Minimum required *setback* from all other *lot lines*: 0m
  - F) Minimum required *amenity area* per unit: 10m<sup>2</sup>
  - G) Minimum required *landscape buffer* along a *front yard* is the *front yard* depth.
- v) For the purposes of this section, the definition for *Cottage Industry* is as follows: Means an activity conducted as an accessory use within the work portion of a *live work unit* by one or more of its residents. A *cottage industry* may include activities such as dress making, upholstering, weaving, ceramic making, painting and sculpting.
- vi) For the purposes of this section, the definition for *Home Day Care* is as follows: Means a private residence or the work portion of a *live-work unit* where care, protection and supervision are provided for up to five children or five elderly persons but which does not provide overnight accommodation to those being cared for.
- vii) For the purposes of this section, the definition for *Retail Store-Convenience Retail* is as follows: Means a *premises*, with a *gross floor area* of less than 125m<sup>2</sup>, for sale of goods such as bake shop, beauty products, computers and computer supplies, crafts and craft supplies, fashion and accessories (including hats, jewellery, scarves, etc) florist, gifts, naturopathic and healthy food products, pet supplies and may also include pet grooming (but not the boarding of animals), photographic supplies, seasonal goods, specialty goods, sports equipment, stationary, but shall not include a furniture store, hardware store, pharmacy or the sale of alcoholic beverages.
- viii) For the purpose of this section, the definition for *Specialty Food Store* is as follows: Means a *premises*, with a *gross floor area* of less than 125m<sup>2</sup>, specializing in the sale of a specific type or class of foods, such as a bakeshop, butcher, delicatessen, coffee shop, ice cream parlour, fish, gourmet, or similar foods, and may include a seating area for no more than 6 persons in association with a bakery, delicatessen, coffee shop or ice cream parlour, but does not include a fast food retail outlet, *restaurant* or on-site food preparation that involves frying.
- ix) The minimum off-street parking requirements for a *live-work unit* are as follows:
  - a) 2 spaces per *dwelling unit*, and

- b) 1 space per 30m<sup>2</sup> of *Gross Floor Area* of the business establishment of “work” component in a common *Parking Area*.
- x) *Parking area setback* to a *street line* of a local road shall be a minimum of 0.0m provided that a *landscape buffer* of a minimum of 1.5m wide is maintained for 50% of the length.
- xi) Minimum *driveway* width shall be 2.75m where *driveways* are adjoining for four *live-work units*.

<b>13.1.1.108</b>	144-2003 34-2008 (Mar 31/08)	RO	<b>*108</b>
Part of Lot 10, Concession 3 NS (Trafalgar) (Mattamy Brownridge Ltd. McCann Property-Model Home Complex)			
<p><b>i) Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>Townhouse Dwelling Unit</i>;</li> <li>b) <i>Art Gallery</i>;</li> <li>c) <i>Artist Studio</i>;</li> <li>d) <i>Commercial School</i>;</li> <li>e) <i>Dry Cleaning Depot</i>;</li> <li>f) <i>Bank</i>;</li> <li>g) <i>Medical Office</i>;</li> <li>h) <i>Office</i>;</li> <li>i) <i>Personal Service Shop</i>;</li> <li>j) <i>Retail 1</i></li> </ul> <p><b>ii) Zone Standards</b></p> <ul style="list-style-type: none"> <li>a) For the purposes of this section, the definition of “Live-Work Unit” is as follows: Means a <i>dwelling unit</i>, part of which may be used as a business establishment.</li> </ul> <p><b>ii) General Provisions for Live-Work Units</b></p> <ul style="list-style-type: none"> <li>a) the business establishment is restricted to the <i>first storey</i>;</li> <li>b) the <i>first storey</i> shall have a minimum ceiling <i>height</i> of 2.75m above <i>grade</i>;</li> <li>c) a live-work unit may be located within a <i>building</i> containing no more than eight live-work units that is divided vertically and whereby each <i>dwelling unit</i> and each business establishment has an independent entrance into the unit from the outside;</li> <li>d) units must front onto a <i>public street</i>.</li> </ul> <p><b>iii) Additional Zone Standards</b></p> <ul style="list-style-type: none"> <li>a) section 4.22.1 “Natural Gas Distribution Systems” does not apply;</li> <li>b) The minimum off-street parking requirements for a live-work unit are as follows: <ul style="list-style-type: none"> <li>A) 2 spaces per <i>dwelling unit</i>; and,</li> <li>B) 2 spaces per business establishment.</li> </ul> </li> </ul> <p><b>iv) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) Minimum <i>Lot Area</i>: 115m<sup>2</sup></li> <li>b) Minimum <i>Lot Frontage</i>: 6.0m</li> </ul>			

- c) Minimum *Lot Depth*: 18.0m
- d) Maximum *Lot Coverage*: 80%
- e) Maximum *Gross Floor Area* – Live-Work Units:
  - A) Maximum Total *Gross Floor Area*: 375m<sup>2</sup> (per unit)
  - B) Maximum *Gross Floor Area* (non-residential-ground floor): 125m<sup>2</sup> (per unit)
- f) Maximum *Building Height*: 12.5m
- g) Minimum *Front yard* Depth: 0.0m
- h) Minimum *Rear Yard* Depth: 0.0m
- i) Minimum *Interior Side Yard*: 1.5m
- j) Minimum *Landscaped Open Space*: 15%
- k) Permanent window awnings and balconies are permitted to encroach to the *front* and *side yards* provided that they are 2.0m above *grade*.

<b>13.1.1.109</b>	144-2003 34-2008 (Mar 31/8)	RMD1	<b>*109</b>
Part of Lot 10, Concession 3 NS (Trafalgar) (Mattamy Brownridge Ltd, McCann Property-Model Home Complex)			
<b>i) Special Zone Standards</b>			
a) <i>Lane Based Single Detached and Townhouse Dwellings</i> (RMD1*109):			
A) <i>Frontage</i> on a street: a <i>building</i> or <i>structure</i> with access to a public <i>lane</i> shall be deemed to conform to the requirements of Section 4.19.1, and further that <i>Front Lot Line</i> shall mean the following: where a <i>lot</i> does not have <i>frontage</i> on a <i>public street</i> , the <i>lot line</i> abutting an OS <i>Zone</i> shall be deemed to be the <i>front lot line</i> .			
b) <i>Lane Based Single Detached Dwellings</i> :			
A) <i>Lane Access Interior Unit</i> :			
i) Minimum <i>Lot Depth</i> : 18.0m			
ii) Minimum required <i>rear yard</i> to <i>attached garage</i> : 0.6m			
B) <i>Lane Access Corner Unit</i> :			
i) Minimum <i>Lot Depth</i> : 18.0m			
ii) Minimum required <i>rear yard</i> to <i>attached garage</i> : 0.6m			
c) <i>Lane Based Townhouse Dwellings</i> :			
A) <i>Lane Access Interior Unit</i> :			
i) Minimum <i>Lot Depth</i> : 18.0m			
ii) Minimum required <i>rear yard</i> to <i>attached garage</i> : 0.6m			
B) <i>Lane Access End Unit</i> :			
i) Minimum <i>Lot Depth</i> : 18.0m			
ii) Minimum required <i>rear yard</i> to <i>attached garage</i> : 0.6m			
C) <i>Lane Access Corner Unit</i> :			
i) Minimum <i>Lot Depth</i> : 18.0m			
ii) Minimum required <i>rear yard</i> to <i>attached garage</i> : 0.6m			

<b>13.1.1.111</b>	144-2003 33-2008 (Mar 31/8)	RMD1 RMD2	<b>*111</b>
Blocks 14 & 15 of Plan 20M-974; Blocks 223, 224 & 228 and Lot 178 of Plan 20M-1013 and Block 329 of Plan 20M-925 (Milton East Lands Inc)			
<p><b>i) Special Site Provisions</b></p> <p>a) The provisions of the site-specific RMD1*35 will apply in addition to the following lot specific minimum <i>Lot Frontages</i>:</p> <p>A) 370 Black Drive (Block 329, Part 1, Plan 20M-925): 6.62m;                  B) 391 Greenless Circle (Lot 178, Plan 20M-1013): 9.37m;                  C) 395 Bussel Crescent (Block 223, Unit 1, Plan 20M-1013): 5.63m;                  D) 403 Bussel Crescent (Block 223, Unit 5, Plan 20M-1013): 6.89m;                  E) 385 Bussel Crescent (Block 224, Unit 1, Plan 20M-1013): 6.45m;                  F) 391 Bussel Crescent (Block 224, Unit 4, Plan 20M-1013): 6.22m;                  G) 319 Bussel Crescent (Block 228, Unit 1, Plan 20M-1013): 5.32m;                  H) 327 Bussel Crescent (Block 228, Unit 5, Plan 20M-1013): 5.94m</p> <p><b>ii) Additional Site Provisions</b></p> <p>a) the following Minimum <i>Lot Frontages</i> apply for the following lands in the RMD2*111 zone:</p> <p>A) 353 Hobbs Crescent (Block 14, Unit 1, Plan 20M-974): 5.84m;                  B) 345 Hobbs Crescent (Block 15, Unit 1, Plan 20M-974): 5.58m;                  C) 351 Hobbs Crescent (Block 15, Unit 4, Plan 20M-974): 5.84m</p>			

<b>13.1.1.113</b>	144-2003 64-2008 (May 26/08)	RLD	<b>*113</b>
E/S of Tremaine Road, between Main Street and Derry Road Part of Lot 11 and 12, Concession 1 NS (Trafalgar) (North, South, West and Northwest Derry Developments Limited)			
<p><b>i) Special Site Provisions</b></p> <p>a) Fencing: A maximum 2.0 m height is permitted in the <i>rear yard</i> and that portion of the <i>interior side yard</i> abutting the <i>rear yard</i> and a maximum 1.0 m height is permitted in the <i>front yard</i>, the <i>exterior side yard</i> and that portion of the <i>interior side yard</i> adjacent to the <i>dwelling</i>. (Fencing subject to Site Plan Approval SP-27/10)</p> <p><b>ii) Special Zone Standards</b></p> <p>a) for the purposes of this section, the Savoline Boulevard <i>frontage</i> is deemed to be the <i>front lot line</i>;                  b) the garage is permitted to be in the <i>rear yard</i> only.</p>			

13.1.1.114	144-2003 64-2008 (May 26/08)	RMD1	*114
<p>E/S of Tremaine Road, between Main Street and Derry Road Part of Lot 11 and 12, Concession 1 NS (Trafalgar) (North, South, West and Northwest Derry Developments Limited)</p>			
<p><b>i) Special Zone Standards</b></p> <p>a) Minimum Required <i>Rear Yard</i>: 7.0m, except on a <i>corner lot</i> where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, the minimum required <i>rear yard</i> may be reduced to 0.6m to a double car garage and 3.9m to a single car garage;</p> <p>b) Minimum Required <i>Interior Side Yard</i>: 0.6m, where there is a separation between two <i>dwelling units</i> or multiple attached <i>dwelling units</i>, the minimum separation distance between exterior walls of <i>dwelling units</i> shall be 1.8m, no side yard individually shall be less than 0.6m adjacent to an exterior wall. The minimum aggregate side yards per <i>lot</i> shall be 1.8m in total for both side yards of a <i>lot</i>.</p> <p><b>ii) Special General Provisions</b></p> <p>a) <i>Attached Garages</i> on a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, Section 4.2.2.1 does not apply;</p> <p>b) <i>Detached Garages</i> on a <i>corner lot</i>, where it is accessed over the <i>exterior side lot line</i>, the minimum required <i>exterior side yard</i> is 5.5m;</p> <p>c) <i>Air Conditioners and Heat Pumps</i>: on a <i>corner lot</i>, where an <i>attached garages</i> is accessed over the <i>exterior side lot line</i>, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the <i>dwelling unit</i> and the <i>attached garage</i>, however, such units are not permitted to encroach into the <i>exterior side yard</i>;</p> <p>d) <i>Encroachments Into Required Yards</i>: eaves and gutters may project into a required <i>front yard</i>, <i>rear yard</i>, <i>interior side yard</i> or <i>exterior side yard</i> a maximum distance of 0.45m provided that the eaves and gutters are 2.0m above <i>grade</i>.</p> <p>e) <i>Decks</i>: on a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, a <i>deck</i> may be located within the <i>exterior side yard</i> provided that the <i>deck</i> complies with the greater of the minimum <i>exterior side yard</i> requirement applicable to the <i>dwelling unit</i> or the actual <i>exterior side yard</i> measured between the <i>property line</i> and the <i>dwelling face</i>.</p> <p>f) Notwithstanding Subsection, <i>decks</i> having a <i>height</i> greater than 1.2m above finished <i>grade</i> shall be permitted in the <i>rear yard</i> provided that:</p> <p>A) the <i>deck</i> is not higher than the floor of the <i>first storey</i>;</p> <p>B) the <i>deck</i> is located no closer to the <i>exterior side</i> and <i>interior side lot line</i> than the <i>principal building</i>;</p> <p>C) the <i>deck</i> does not project more than a maximum of 4m into the <i>rear yard</i> from the wall of the <i>principal building</i> closest to the <i>rear lot line</i> (other than a garage) and maintain a minimum <i>setback</i> of 3m from the <i>rear lot line</i>;</p> <p>g) <i>Individual Driveway Access to Residential Dwelling Units</i>: on a <i>corner lot</i>, where an <i>attached</i> or <i>detached garage</i> is accessed over the <i>exterior side lot line</i>, in no case shall a <i>driveway</i> encroach into a required <i>rear yard</i>;</p> <p>h) <i>Fencing</i>: on a <i>corner lot</i>, where an <i>attached</i> or <i>detached garage</i> is accessed over an <i>exterior side lot line</i>, <i>fences</i> and <i>walls</i>, having a maximum <i>height</i> of 1.8m are permitted to</p>			

enclose that portion of the yard bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*;

i) Visual Clearance at *Driveways*:

A) on all *lots* abutting a *driveway*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *driveway* edge and the *street line* and a line connecting them at points 2.0m from their intersection; and,

B) on any *lot* where a *driveway* enters a street, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway* edge and a line connecting them at points 2.0m from their intersection.

<b>13.1.1.115</b>	144-2003 70-2008 (June 23/08)	C3	<b>*115</b>
Part Lot 10, Conc 1 NS (MATTAMY MILTON WEST LTD – BIASON COMMERCIAL)			
<p><b>i) Special Zone Standard</b></p> <p>a) The <i>lot line</i> abutting Derry Road shall be deemed the <i>front lot line</i>.</p> <p><b>ii) Additional Permitted Uses</b></p> <p>a) <i>Fitness Centre</i>;</p> <p>b) <i>U-Brew Establishment</i>;</p> <p>c) <i>Commercial School</i>;</p> <p>d) <i>Food Store</i>;</p> <p>f) <i>Retail Store 2</i></p> <p><b>iii) Special Site Provisions</b></p> <p>a) Maximum <i>Lot Area</i>: 12,700m<sup>2</sup>;</p> <p>b) Maximum <i>Lot Coverage</i>: 33%;</p> <p>c) Maximum <i>Gross Floor Area</i>: 3,700m<sup>2</sup>;</p> <p>d) Maximum <i>Gross Floor Area</i> for a <i>Food Store</i>: 2,787m<sup>2</sup>;</p> <p>e) Maximum <i>Building Height</i>: 12m;</p> <p>f) Minimum <i>Landscape Buffer</i> abutting a <i>street line</i>: 0.0m;</p> <p>g) Minimum <i>Setback</i> of a <i>Waste Storage Facility</i> from a Residential Zone: 7.1m;</p> <p>h) Maximum <i>height</i> permitted for an <i>accessory building</i> containing <i>waste storage facilities</i>: 4m;</p> <p>i) Permanent window awnings are permitted to encroach to the <i>front</i> and <i>exterior side</i> property lines provided they are 2m above <i>grade</i>;</p> <p>j) Number of Required Loadings Spaces: 1 space minimum 6m x 3.5m;</p> <p>k) The minimum <i>setback</i> to a queuing <i>lane</i> from any <i>street line</i> or Residential Zone: 6m;</p> <p>l) An entrance feature with a maximum size of 23m<sup>2</sup> with a maximum <i>height</i> of 7m, and 0.0m <i>setback</i> from any <i>street line</i> is permitted in the <i>front yard</i>, and in the landscape butter strip required by this By-law;</p>			

<b>13.1.1.116</b>	144-2003 72-2010 (June 3, 2010)	RHD	<b>*116</b>
PART OF THE NORTH EAST HALF OF LOT 10, CONCESSION I, NS (TRAFALGAR), FILE: Z-29/05			
<p><b>THAT</b> Section 13.1, Subsection 13.1.1.116 is amended by adding the following provisions: For lands zoned Residential High Density Special 116 (RHD*116), the following provisions apply:</p> <ul style="list-style-type: none"> <li>i) Notwithstanding the provisions in Table 4A, the maximum height of an accessory building or structure is 4.5 metres and the maximum area of all accessory buildings and structures is 40m<sup>2</sup> or less:</li> <li>ii) Notwithstanding the requirements in Table 5E, the minimum off-street parking requirements for a long term care facility is as follows: <ul style="list-style-type: none"> <li>• 0.5 space per dwelling unit</li> </ul> </li> <li>iii) Notwithstanding the provisions in Table 5L, the setback of a parking area to the street line of an arterial road shall be a minimum of 6.0 metres, the setback of a parking area to the street line of a local road shall be a minimum of 4.0 metres and the setback to an interior side yard shall be 2 metres.</li> <li>iv) Notwithstanding Section 5.6.1 ii), the maximum driveway width for a two way driveway shall be 14.0 metres.</li> <li>v) Notwithstanding Section 5.9 ii), the total number of accessible <i>parking spaces</i> shall be included in the parking requirements of the permitted <i>use</i>, as <i>part</i> of overall <i>parking area</i> total.</li> <li>vi) Special Site Provisions: <ul style="list-style-type: none"> <li>(a) For the purposes of this by-law, the Bronte Street South frontage is deemed to be the front lot line of the lot.</li> <li>(b) The maximum height is 5 storeys to a maximum of 18 metres.</li> </ul> </li> </ul>			

<b>13.1.1.117</b>	144-2003 77-2008 (June 23/08)	C3	<b>*117</b>
SE corner Derry Road & Thompson Road Part of Lot 10, Conc 4 NS			
<p><b>i) Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>Artist's Studio</i>;</li> <li>b) <i>Commercial School – Skill</i>;</li> <li>c) <i>Convenience Store</i>;</li> <li>d) <i>Day Care Centre</i>;</li> <li>e) <i>Dry Cleaning Depot</i>;</li> <li>f) <i>Bank</i>;</li> <li>g) <i>Medical clinic</i>;</li> <li>h) <i>Personal Service Shop</i>;</li> <li>i) <i>Restaurant</i>;</li> <li>j) <i>Retail Store 1</i>;</li> <li>k) <i>Veterinary Clinic – small animal</i></li> </ul> <p><b>ii) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) Maximum <i>Lot Area</i>: 3,099m<sup>2</sup></li> </ul>			

<b>13.1.1.118</b>	144-2003 76-2008 (June 23/8)	UGC-MU-2	<b>*118</b>
BLOCKS 31 & 32, PART OF LOT 4, PLAN 20M-285			
<b>i) Additional Permitted Uses</b>			
a) A <i>Place of Worship</i>			

<b>13.1.1.119</b>	144-2003 83-2008(July 21/08)	C2	<b>*119</b>
6432 First Line Part Lot 8, Conc 1 (Trafalgar)			
<b>i) Special Site Provisions</b>			
a) for the purposes of this section, a <i>food store</i> means a <i>building</i> or part of a <i>building</i> which is used primarily for the retail sale of food as well as personal and household items. A <i>food store</i> may include a <i>convenience</i> or specialty <i>food store</i> which generally contains less than 3,250m <sup>2</sup> of floor space. A <i>food store</i> which contains 3,250m <sup>2</sup> or more of floor space may be referred to as a grocery store or supermarket and may also provide a wider range of retail goods and services.			
<b>ii) Zone Standards</b>			
a) Maximum <i>Lot Area</i> : 8.0 ha;			
b) Maximum <i>Gross Floor Area</i> (all <i>buildings</i> combined): 14,864m <sup>2</sup>			

<b>13.1.1.120</b>	144-2003 104-2008 (Aug 18/08)	RLD3	<b>*120</b>
245 COMMERCIAL STREET			
<b>i) Only Permitted Uses</b>			
a) <i>Office Use</i>			

<b>13.1.1.121</b>	144-2003 104-2008 (Aug 18/08)	C3	<b>*121</b>
3006 DERRY ROAD WEST			
<b>i) Only Permitted Uses</b>			
a) <i>Medical Clinic</i> ;			
b) <i>Office Use</i> ;			
c) <i>Restaurant</i> ;			
d) <i>Pharmacy</i> ;			
e) <i>Medical Supply Store</i>			
<b>ii) Special Site Provisions</b>			
a) For the purposes of this section, a <i>Pharmacy</i> shall mean a <i>premises</i> where prescription drugs and over the counter medications are available or dispensed.			
b) For the purposes of this section, a <i>Medical Supply Store</i> shall mean a <i>premises</i> where goods and wares are sold for the treatment/support of some kind of medical condition.			



<b>13.1.1.122</b>	144-2003 23-2009 OMB Order (Apr 9/08)	<u>EMP-2</u>	<b>*122</b>
<p>3037 Derry Rd W Part of Lot 11, Conc 1 (Trafalgar) First Capital Reality Corp</p>			
<p><b>i) Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>Commercial School – Skill;</i></li> <li>b) <i>Commercial School – trade/profession;</i></li> <li>c) <i>Day Care Centre;</i></li> <li>d) <i>Dry Cleaning Depot;</i></li> <li>e) <i>Fitness Centre;</i></li> <li>f) <i>Bank</i> subject to the provisions of subsection 13.1.1.122 (iii)(e);</li> <li>g) <i>Industrial Use</i> subject to Section 8.1;</li> <li>h) <i>Office Building;</i></li> <li>i) <i>Office Use;</i></li> <li>j) <i>Place of Assembly;</i></li> <li>k) <i>Place of Entertainment;</i></li> <li>l) <i>Place of Worship;</i></li> <li>m) <i>Recreation and Athletic Facility;</i></li> <li>n) <i>Research and Technology Use;</i></li> <li>o) <i>Restaurant;</i></li> <li>p) <i>U-Brew Establishment;</i></li> <li>q) <i>Veterinary Clinic – Small Animal;</i></li> <li>r) the following local commercial uses shall also be permitted but only if located in the <i>first storey</i> of a mixed use building containing second storey office uses: <ul style="list-style-type: none"> <li>A) <i>Artist’s Studio;</i></li> <li>B) <i>Convenience Store</i>, not exceeding 903m<sup>2</sup> of <i>gross floor area</i>;</li> <li>C) <i>Drive-through Service Facility</i> subject to the provisions of subsection 13.1.1.122(iii)(f);</li> <li>D) <i>Personal Service Shop;</i></li> <li>E) <i>Retail Store 1</i></li> </ul> </li> <li>s) <i>Drug Store</i> not exceeding 1860m<sup>2</sup>;</li> <li>t) <i>Medical Clinic</i> not including accessory dispensary facilities</li> </ul> <p><b>ii) Zone Standards</b></p> <ul style="list-style-type: none"> <li>a) Maximum <i>yard</i> abutting Bronte Street: 3m;</li> <li>b) Minimum <i>yard</i> abutting Derry Road W: 3m;</li> <li>c) Maximum <i>yard</i> abutting Derry Road W: 6m;</li> <li>d) <i>Landscaped Buffer</i> abutting Bronte Street: None</li> </ul> <p><b>iii) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) The total <i>gross floor area</i> of all commercial and retail uses permitted under Section 13.1.1.122(i)(r) and (s), shall not exceed 4650m<sup>2</sup>;</li> <li>b) For the purposes of this section, a <i>Drug Store</i> shall be defined as a <i>retail store</i> which dispenses prescription drugs and which also sells non-prescription medicine, health and beauty products, and household convenience items;</li> </ul>			

- c) Required parking shall be provided at a rate of 1 *parking space* for every 20m<sup>2</sup> of *gross floor area*;
- d) No off-street *loading spaces* shall be required for *Bank* or *restaurants*;
- e) *Banks* are a permitted *use* only in the *first storey* of a mixed *use building* containing second storey *office uses*, to a maximum total ground floor area for all *Bank uses* of 1115m<sup>2</sup>;
- f) A *drive-through service facility* is permitted only in association with a permitted *Bank* or *restaurant use*

<b>13.1.1.123</b>	144-2003 113-2008 (Sept 22/08) 38-2019	MC	<b>*123</b>
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NW corner Maple Avenue & Fox Crescent  
Block 38, Plan 20M-1004, S/T Easement in Gross HR560743 over Part 1, 20R-17156  
(Milton Investments 2007 Inc)

**i) Additional Permitted Uses:**

- a) *Food Store*
- b) *Retail Store 1*

**ii) Zone Standards:**

- a) *Interior Side Yard Setback* (Minimum):
  - i. *Abutting a Residential Zone:* 6.0m;
  - ii. *Abutting a Provincial Highway:* 0.0m;
- b) *Landscape Buffer* (Minimum):
  - i. *Abutting a Provincial Highway:* 0.0m;
- c) *Gross Floor Area:*
  - i. Notwithstanding any provision to the contrary, that up to 695m<sup>2</sup> of a multi-unit *building* shall be permitted a minimum individual *Gross Floor Area* of 280m<sup>2</sup> per *retail store*.
  - ii. *Food Store* (Maximum): 3251m<sup>2</sup>

**iii) Additional Zone Standards:**

- a) *Gross Floor Area* (Maximum): That up to a maximum 695m<sup>2</sup> of the *gross leasable area* can be made up *retail stores* individually having a *gross floor area* less than 280m<sup>2</sup>.

**iv) Special Parking Provisions:**

- a) Minimum required *off-street parking*: 282 stalls.

<b>13.1.1.124</b>	144-2003 112-2008 (Sept 22/08)	M2	<b>*124</b>
2999 James Snow Pkwy Block 15 and 16 Plan 20M-530, Part of Lot 4, Conc. 3 (Gordon Food Service)			
<b>i) Additional Permitted Use</b>			
a) Parking as a Principal Use			

<b>13.1.1.125</b>	144-2003 123-2008 (Oct 27/08)	RMD1	<b>*125</b>
E/S Tremaine Road, between Main Street & Derry Road Part of the west half of Lot 12, Concession I NS (Trafalgar) (MATTAMY DEVELOPMENT – CIVIERO PHASE 2)			
<b>i) Special Zone Standards</b>			
a) Single <i>Detached Dwelling</i> – Street Access Corner: an <i>attached garage</i> may be located no closer than 0.6m from the <i>rear lot line</i> if the garage is accessed by a <i>driveway</i> crossing the <i>exterior side lot line</i> .			
<b>ii) Special Residential Provisions</b>			
a) Street Front Treatment of <i>Detached Dwellings</i> :			
A) the <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include the <i>porch</i> or <i>veranda</i> , of 3.3m provided that no more than 60% of the <i>building face</i> is used for the garage portion of the elevation;			
B) in the case of a staggered double car garage, the <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include a <i>porch</i> or <i>veranda</i> , of 2.5m, provided the <i>setback</i> from the <i>dwelling face</i> to the <i>front lot line</i> does not exceed the <i>setback</i> from the garage door to the <i>front lot line</i> .			
C) where a garage door faces the <i>interior side lot line</i> or the <i>rear lot line</i> the wall of the garage nearest the <i>front lot line</i> and the wall of the garage nearest the <i>exterior lot line</i> shall be considered <i>dwelling face</i> .			
<b>iii) Special General Provisions</b>			
a) Special General Rules for <i>attached garages</i> :			
A) in the case of a staggered double car garage, one garage is permitted to have a minimum <i>setback</i> of 2.0m to the <i>front lot line</i> providing that the second garage has a minimum <i>setback</i> of 5.5m to the <i>front lot line</i> ;			
B) where a garage door faces an <i>interior side lot line</i> the garage door and the wall of the garage nearest to the <i>front lot line</i> shall have a minimum <i>setback</i> of 2.0m;			
b) Air Conditioners and Heat Pumps: on a <i>corner lot</i> , where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i> , air conditioning and heat exchange units are permitted to be located within that portion of the <i>yard</i> located between the <i>dwelling unit</i> and the <i>attached garage</i> , however such units are not permitted to encroach into the <i>exterior side yard</i> .			
c) <i>Porches</i> and <i>Verandas</i> are permitted to encroach into the required <i>interior side yard</i> , but at no time shall they be located closer than 0.9m to the <i>side lot line</i> .			

- d) *Landings* shall have a maximum width of 3.0m along the rear *dwelling face* and a maximum depth of 1.5m.
- e) *Fencing*: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, *fences* and walls having a maximum *height* of 2.0m are permitted to enclose that portion of the yard bounded by the *dwelling unit*, the *exterior lot line* and the *driveway*.
- f) *Visual Clearance at Driveways*: on any *lot* where a *driveway* enters a street, no obstruction to sight lines, including *fencing*, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and the line connecting them at points 1.0 from their intersection.
- g) *Lane Based Single Detached and Townhouse Dwellings*:
  - A) *Frontage on a Street*: a *building* or *structure* with access to a public *lane* shall be deemed to conform to the requirements of Section 4.19.1, and further that *Front Lot Line* shall mean the following: where a *lot* does not have *frontage* on a public street the *lot line* abutting an OS Zone shall be deemed to be the *front lot line*.
- h) *Lane Based Single Detached Dwellings*:
  - A) *Lane Access Interior Unit*:  
 Minimum *Lot Depth*: 18.0m  
 Minimum Required *Rear Yard* to *attached garage*: 0.6m
  - B) *Lane Access Corner Unit*:  
 Minimum *Lot Depth*: 18.0m  
 Minimum Required *Rear Yard* to *attached garage*: 0.6m
- i) *Lane Based Townhouse Dwellings*:
  - A) *Lane Access Interior Unit*:  
 Minimum *Lot Depth*: 18.0m  
 Minimum Required *Rear Yard* to *attached garage*: 0.6m
  - B) *Lane Access End Unit*:  
 Minimum *Lot Depth*: 18.0m  
 Minimum Required *Rear Yard* to *attached garage*: 0.6m
  - c) *Lane Access End Corner Unit*:  
 Minimum *Lot Depth*: 18.0m  
 Minimum Required *Rear Yard* to *attached garage*: 0.6m

<b>13.1.1.126</b>	144-2003 72-2009 (May 25/09)	CBD-A	<b>*126</b>
16 Hugh Street (Part Lot 6, Block 8 Foster Survey, Plan 20M-116758)			
<b>i) Uses also permitted on the ground floor:</b> <ul style="list-style-type: none"> <li>a) <i>Commercial School – Skill</i></li> <li>b) <i>Bank</i></li> <li>c) <i>Office use</i></li> </ul> <b>ii) Additional Permitted Use:</b> <ul style="list-style-type: none"> <li>a) <i>Office Building</i></li> </ul>			

<b>13.1.1.127</b>	144-2003 152-2008 (Dec 15/08)	C5	<b>*127</b>
360 Steeles Avenue East Part Lot 15, Conc 2 (Trafalgar), Part 1 Plan 20R-2782 & Parts 1 & 2, Plan 20R-3745			
<b>i) Additional Permitted Use:</b> a) Automotive Parts and Industrial Parts Sales and Service Use			

<b>13.1.1.128</b>	144-2003 9-2009 (Jan 26/09)	I-A	<b>*128</b>
E/S Fourth Line, close to its intersection with Clarke Blvd (Part Lot 8, Conc 5, Part 1 on 20R-3897)			
<b>i) Permitted Uses:</b> a) <i>Day Care Centre</i> only within the existing <i>building</i>			
<b>ii) Special Site Provisions:</b> The following provisions shall apply to the <i>Day Care Centre</i> : a) Minimum <i>Lot Frontage</i> : 45.72m; b) Minimum <i>Lot Area</i> : 0.42 ha; c) Minimum <i>Rear Yard Setback</i> for an <i>Accessory Building</i> : 0.63m; d) Minimum <i>Interior Side Yard Setback</i> : 3.07m; e) Minimum <i>Setback</i> for an <i>Accessory Building</i> : 2.67m;			
<b>iii) Special General Provisions:</b> The following provisions shall apply to the <i>Day Care Centre</i> : a) all <i>buildings</i> or <i>structures</i> , apart from the existing shed, shall be located no closer than 7.5m from the Natural Heritage System <i>Zone</i> .			

<b>13.1.1.129</b>	144-2003 4-2009 (Jan 26/09) 058-2019	RLD	<b>*129</b>
E/S Tremaine Road, between Main St & Derry Rd Part Lot 13, Conc 1 NS (Trafalgar) [Intracorp Projects (Milton on the Escarpment) Ltd]			
<p><b>i) Only Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) <i>Detached Dwellings;</i></li> <li>b) <i>Shared Housing;</i></li> <li>c) <i>Home Occupation</i></li> </ul> <p><b>ii) Special Zone Standards:</b></p> <ul style="list-style-type: none"> <li>a) Minimum <i>lot frontage</i> for a <i>detached dwelling</i>: 14.9m;</li> <li>b) Minimum required <i>exterior side yard</i>: 4.0m;</li> <li>c) Maximum <i>lot coverage</i>: 30%;</li> <li>d) Minimum required <i>rear yard</i> for <i>lots</i> immediately abutting a commercial zone: 9.0m;</li> <li>e) within an <i>interior side yard</i> or <i>rear yard</i>, the maximum <i>fence height</i> shall be 2.0m;</li> <li>f) within a <i>front yard</i> or an <i>exterior side yard</i>, the maximum <i>fence height</i> shall be no higher than 1.0m, except for that portion of the <i>exterior side yard</i> which adjoins the <i>rear yard</i> of a <i>corner lot</i>, the maximum <i>fence height</i> along the common property boundary may be no higher than 2.0m.</li> </ul>			

<b>13.1.1.130</b>	144-2003 4-2009 (Jan 26/09) 058-2019	RMD1	<b>*130</b>
E/S Tremaine Rd, between Main Street & Derry Road Part Lot 13, Conc 1 NS (Trafalgar) [Intracorp Projects (Milton on the Escarpment) Ltd]			
<p><b>i) Only Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) <i>Detached Dwellings;</i></li> <li>b) <i>Shared Housing;</i></li> <li>c) <i>Home Occupation</i></li> </ul> <p><b>ii) Special Zone Standards:</b></p> <ul style="list-style-type: none"> <li>a) Minimum required <i>rear yard</i> for <i>lots</i> immediately abutting a commercial zone: 9.0m.</li> </ul>			

<b>13.1.1.131</b>	144-2003 4-2009 (Jan 26/09) 120-2011 (Nov 21/11)	C3	<b>*131</b>
PART OF LOT 13, CONCESSION I (TRAFALGAR), BLOCK 108, R.P. 20M-1091, DURLAND PROPERTIES INC., 3340 MAIN STREET, SCHEDULE A, FILE Z-05/11			
<p>THAT Section 13.1 is amended by repealing the entire zone standards and special provisions table in Section 13.1.1.131 and replacing to read as follows:</p> <p>i) Additional Permitted Uses:</p> <ul style="list-style-type: none"> <li>Gas Bar;</li> <li>Motor Vehicle Washing Establishment;</li> </ul>			

<p>Drive Through Service Facility;</p> <p>ii) Special Zone Standards:</p> <p>(a) For the purposes of this section, the Main Street Frontage is deemed to be the front yard of the lot;</p> <p>(b) Lot Area: Minimum 10,000 m<sup>2</sup> Maximum 14,000 m<sup>2</sup></p> <p>(c) Gross Floor Area (all buildings combined): No minimum, Maximum 2325 m<sup>2</sup>.</p> <p>(d) Gross Floor Area (individual buildings): No minimum, Maximum 2325 m<sup>2</sup>.</p> <p>(e) Front Yard Setback: Minimum 4.5 m Maximum 12.0 m</p> <p>(f) Exterior Side Yard Setback: Minimum 4.5 m Maximum 6.5 m</p> <p>(g) Rear Yard Setback: Minimum 3.0 m</p> <p>(h) Interior Side Yard Setback: 6.0 m</p> <p>(i) Minimum Landscape Buffer</p> <p style="padding-left: 20px;">Abutting a Street Line: 4.5m</p> <p style="padding-left: 20px;">Abutting Kincardine Terrace: 3.0 m</p> <p style="padding-left: 20px;">Abutting a Residential Zone: 4.0 m</p> <p>(j) Notwithstanding the setback provisions for buildings, fuel pump islands and weather canopies must be set back a minimum of 15 metres from the rear and interior side (eastern) lot lines.</p> <p>(k) Notwithstanding Section 5.11 of the By-law to the contrary, 2 loading areas are required for the site being a minimum of 6.0 m long, 3.5 m wide and have a vertical clearance of at least 3.0 m.</p>
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<b>13.1.1.132</b>	144-2003 45-2009 (Mar 30/09)	M1	<b>*132</b>
8611 Escarpment Way Part Block 4, Plan 20M-952			
<p><b>i) Additional Permitted Uses:</b></p> <p>a) <i>Motor Vehicle Dealership;</i></p> <p>b) <i>Motor Vehicle Washing Establishment;</i></p> <p>c) <i>Convenience Store;</i></p> <p>d) <i>Motor Vehicle Gas Bar;</i></p> <p>e) <i>Drive Through Service Facility (only associated with motor vehicle washing establishment)</i></p> <p><b>ii) Special Site Provisions:</b></p> <p>a) For the purpose of this section a <i>motor vehicle dealership</i> shall be defined as “a <i>premises</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a <i>motor vehicle repair garage</i> and/or a <i>motor vehicle body shop</i>;</p> <p>b) Tandem parking is permitted if it is over and above the minimum required amount of parking for the site;</p> <p>c) Required parking for the subject property will be 1 <i>parking space</i> per 28m<sup>2</sup> of <i>gross floor area</i>.</p>			

<b>13.1.1.133</b>	144-2003 46-2009 (Mar 30/09)	M1	<b>*133</b>
8521 Escarpment Way Part Block 15, Plan 20M-952			
<p><b>i) Additional Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) <i>Motor Vehicle Dealership;</i></li> <li>b) <i>Bank;</i></li> <li>c) <i>Restaurant;</i></li> <li>d) <i>Drive Through Service Facility (only associated with a Bank).</i></li> </ul> <p><b>ii) Special Site Provisions:</b></p> <ul style="list-style-type: none"> <li>a) For the purpose of this section a <i>motor vehicle dealership</i> shall be defined as “a <i>premises</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a <i>motor vehicle repair garage</i> and/or a <i>motor vehicle body shop</i>;</li> </ul>			

<b>13.1.1.134</b>	144-2003 23-2010 (Feb 15/10) OMB PL090394	RLD3*134	<b>*134</b>
350 Ontario Street S			
<p><b>i) Additional Permitted Use:</b></p> <p style="text-align: center;">Day Care Centre</p> <p><b>ii) Special Site Provisions:</b></p> <ul style="list-style-type: none"> <li>a. The day care centre is permitted a maximum number of 20 children.</li> <li>b. The day care centre will be permitted only within the existing building at the time of the passing of this By-law.</li> <li>c. Any permitted residential use must comply with Section 5.6.2 of By-law 144-03, as amended.</li> <li>d. The existing accessory structure may have a rear yard setback of 0.2 metres.</li> </ul> <p><b>iii) Zone Standards:</b></p> <ul style="list-style-type: none"> <li>a. For the purposes of this By-law, a parking area is required and both parking areas and parking spaces are subject to the provisions of Section 5 of By-law 144-2003, as amended.</li> <li>b. Notwithstanding Section 5.18.1 (iii) of By-law 144-2003 to the contrary, the total number of accessible parking spaces shall be included in the required number of parking spaces for the permitted use (s).</li> <li>c. Minimum Side Yard Setback of 1.5 metres from property line to parking area.</li> <li>d. Maximum Fence height of 2.0 metres in the front yard.</li> </ul>			



<b>13.1.1.135</b>	58-2009 (Apr 27/09)	I-B	<b>*135</b>
SW corner Fourth Line & Louis St Laurent Ave Part Lot 8, Conc 4 NS (Trafalgar)			
<b>i) Special Site Provisions:</b> a) The <i>parking spaces</i> per classroom is 4 spaces per classroom.			

<b>13.1.1.136</b>	144-2003 75-2009 (May 25, 2009) & OMB Order PL090502 (Oct. 14, 2009)	CBD-A	<b>*136</b>
189 Mill Street Lot 57 and Part of Lots 53 & 55, Plan 6 (Martins Survey)			
<b>i) Additional Permitted Uses</b> a. Office Space on the First Floor b. Office Building  <b>ii) Zone Standards</b> a. Front Yard Setback (Maximum): 11.9 metres b. Parking areas may be setback 0.0 metres from any building or structure and/or lot lines.			

<b>13.1.1.137</b>	144-2003 76-2009 (May 25, 2009)	RMD2	<b>*137</b>
SE corner Derry Rd & Farmstead Drive Part of Lot 10, Conc 2 (Trafalgar)			
<b>i) Additional Permitted Uses:</b> a) <i>Dwelling, Retirement</i> <b>ii) Special Zone Standards:</b> a) Minimum off-street parking requirements for a retirement residence: 51 <i>parking spaces</i> ; b) Minimum <i>setback</i> from a common <i>parking area</i> to a <i>street line</i> : 4.5m; c) Minimum <i>setback</i> from a common <i>parking area</i> to the southerly <i>lot line</i> : 1.8m; <b>iii) Special Site Provisions:</b> a) Minimum Required <i>Rear Yard Setback</i> : 7.5m; b) Maximum <i>Height</i> : 4 storeys to a maximum of 17.5m			

<b>13.1.1.138</b>	144-2003 85-2009 (June 29, 2009) 126-2009 (Sept 28, 2009)	RO	<b>*138</b>
SW corner Main St E & Sinclair Blvd Block 212 & Part Block 221, Plan 20M-821			
<p><b>i) Only Permitted Uses:</b></p> <p>a) <i>Apartment Buildings</i></p> <p><b>ii) Zone Standards:</b></p> <p>a) Maximum <i>Lot Coverage</i>: 30%;</p> <p>b) Minimum Required <i>Rear Yard</i>: 6.0m;</p> <p>c) Minimum <i>Landscaped Buffer</i> abutting a <i>street line</i>: 4.0m;</p> <p>d) Maximum <i>Building Height</i>: 4 storeys, to a maximum of 15m</p> <p><b>iii) Special General Provisions:</b></p> <p>a) Fencing: a <i>fence</i> located within a <i>front</i> or <i>exterior side yard</i> shall have a maximum <i>height</i> of 1.2m. The maximum <i>fence height</i> shall not apply to an entry feature;</p> <p>b) <i>Accessory Uses</i>:</p> <p>A) a Clubhouse is permitted in any <i>yard</i> in accordance with the <i>setbacks</i> for the <i>principal use</i>;</p> <p>B) the maximum area of all <i>Accessory Buildings</i> and <i>Structures</i> is 300m<sup>2</sup></p> <p>C) the maximum <i>height</i> of a Clubhouse is 8.0m;</p> <p>D) <i>Lot Coverage</i> includes the Ground Floor Area of a Clubhouse;</p> <p>E) Gazebo <i>structures</i> and entry features may be located within the minimum <i>landscape buffer</i> abutting a <i>street line</i>;</p> <p>c) Parking Provisions:</p> <p>A) the Parking requirement for an apartment <i>building</i> shall be 1.5 spaces per unit, notwithstanding the foregoing, the rate for one bedroom units shall be 1.25 spaces per unit. Visitor parking shall be provided at a rate of 0.25 spaces per unit;</p> <p>B) Parking shall not be required for an <i>accessory clubhouse building</i>;</p> <p>C) a Below <i>Grade Parking Structure</i> shall be subject to the <i>yard</i> requirements for a <i>principal building</i>. A vent shaft may encroach 1.5m into a required <i>yard</i> and into a <i>landscape buffer</i>;</p> <p>D) structural columns in an underground parking <i>structure</i> may encroach 0.22m into a parking stall;</p> <p>d) <i>Waste Storage Facilities</i> including recycling facilities, are permitted as an <i>accessory use</i> provided they are contained within the main <i>building</i>, but may be located in a common underground <i>parking area</i>.</p>			

<b>13.1.1.139</b>	144-2003 89-2003 (July 20/09)	EMP-2	<b>*139</b>
121 Chisholm Drive Part Lot 2, Conc 2 NS (Esquesing)			
<p><b>i) Additional Permitted Use</b></p> <p>a) In addition to the list of permitted <i>uses</i> in Table 8A, a <i>banquet facility</i> and catering service facility is a permitted <i>use</i>.</p> <p><b>ii) Special Site Provisions</b></p> <p>a) For the purposes of this section, a catering service facility means an establishment in which food and beverages are prepared on the premises for consumption off the premises, but does not include a restaurant or take-out restaurant.</p> <p><b>iii) Special Parking Provisions</b></p> <p>a) A minimum of 155 parking spaces shall be provided for the <i>banquet facility</i>, catering service facility and associated <i>office uses</i> and patio of the subject property.</p>			

<b>13.1.1.140</b>	144-2003 93-2009	RMD2	<b>*140</b>
Part Lot 10, Conc 11 (Trafalgar) (Miltonbrook Landholdings Corp, Milton Hospital Lands Incorporée)			
<p><b>i) Special Definitions</b></p> <p>a) For the purposes of this section, a LANE shall mean a public or private thoroughfare which affords only a secondary means of access to abutting <i>lots</i> and which is not intended for general traffic circulation;</p> <p>b) For the purposes of this section, a LANE ACCESS TOWNHOUSE shall mean a townhouse with a <i>detached garage</i> in the <i>rear yard</i> accessed by a private lane;</p> <p>c) For the purposes of this section, where the <i>front or rear lot line</i> of a <i>corner lot</i> has a curved radius, for the purposes of determining <i>lot frontage</i> and/or <i>lot depth</i>, the radius shall be deemed not to exist.</p> <p><b>ii) Zone Standards</b></p> <p>a) Townhouses:</p> <p style="margin-left: 20px;">A) Minimum Lot Frontage: 5.9m for street access interior unit, 7.5m for street access end unit, 6.5m for street access end corner unit;</p> <p style="margin-left: 20px;">B) For POTL's abutting common element parking areas, the minimum required <i>exterior side yard</i> shall be 1.8m.</p> <p>b) Lane Access Townhouses:</p> <p style="margin-left: 20px;">A) Minimum <i>Lot Frontage</i> for street access end corner unit: 7.0m;</p> <p style="margin-left: 20px;">B) Minimum <i>Lot Depth</i>: 28.5m;</p> <p style="margin-left: 20px;">C) Minimum <i>Exterior Side Yard</i> Setback: 1.7m;</p> <p style="margin-left: 20px;">D) Minimum Required <i>Rear Yard</i>: 13.25m;</p> <p style="margin-left: 20px;">E) Maximum <i>Residential Driveway</i> width for lane access townhouses: 6.0m;</p> <p style="margin-left: 20px;">F) A <i>detached garage</i> shall be located no closer than 0.8m to the <i>rear lot line</i>;</p>			

G) Parking of a motor vehicle is permitted in the required *rear yard*.

**iii) Special Site Provisions**

a) Parking:

- A) *Parking Areas* may be set back 0.0m to the POTL lines;
- B) The parking requirement for townhouses shall be 2 spaces per *dwelling unit* plus 0.25 spaces per *unit* for visitors on a lot with 4 or more POTL's.

<b>13.1.1.141</b>	144-2003 100-2009 (July 20/09)	RMD1	<b>*141</b>
Part Lot 9, Conc 1 NS (Trafalgar) [Mattamy (Milton West) Ltd]			
<p><b>i) Special Zone Standards</b></p> <p>a) Single <i>Detached Dwelling</i> – Street Access Corner: an <i>attached garage</i> may be located no closer than 0.6m from the <i>rear lot line</i>, if the garage is accessed by a <i>residential driveway</i> crossing the <i>exterior side lot line</i>.</p> <p><b>ii) Special Site Provisions</b></p> <p>a) Street Front Treatment of Street Access Interior Single <i>Detached Dwellings</i>:</p> <ul style="list-style-type: none"> <li>A) The <i>dwelling</i> shall have a minimum <i>dwelling face</i>, which may include the <i>porch/veranda</i>, of 3.3m provided that no more than 60% of the <i>building face</i> is used for the garage portion of the elevation;</li> <li>B) In the case of a staggered double car garage, the <i>dwelling</i> shall have a minimum <i>dwelling face</i>, which may include a <i>porch/veranda</i>, of 2.5m, provided the <i>setback</i> from the <i>dwelling face</i> to the <i>front lot line</i> does not exceed the <i>setback</i> from the garage door to the <i>front lot line</i>;</li> <li>C) Where the garage door faces the <i>interior side lot line</i> or the <i>rear lot line</i> the wall of the garage nearest the <i>front lot line</i> and the wall of the garage nearest the <i>exterior side lot line</i> shall be considered <i>dwelling face</i>.</li> </ul> <p>b) Street Front Treatment of Street Access Corner Single <i>Detached Dwellings</i>:</p> <ul style="list-style-type: none"> <li>A) In the case of a staggered double car garage, the <i>dwelling</i> shall have a minimum <i>dwelling face</i>, which may include a <i>porch/veranda</i>, of 2.5m;</li> <li>B) Where a garage door faces the <i>interior side lot line</i> or the <i>rear lot line</i> the wall of the garage nearest the <i>front lot line</i> and the wall of the garage nearest the <i>exterior side lot line</i> shall be considered <i>dwelling face</i>.</li> </ul> <p>c) <i>Attached Garages</i>:</p> <ul style="list-style-type: none"> <li>A) In the case of a staggered double car garage, one garage is permitted to have a minimum <i>setback</i> of 2.0m to the <i>front lot line</i> providing that the second garage has a minimum <i>setback</i> of 5.5m to the <i>front lot line</i>;</li> <li>B) Where a garage door faces an <i>interior side lot line</i> the garage door and the wall of the garage nearest to the <i>front lot line</i> shall have a minimum <i>setback</i> of 2.0m.</li> </ul> <p>d) Air Conditioners and Heat Pumps: on a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, air conditioning and heat exchange units are permitted to be located within that portion of the <i>yard</i> located between the <i>dwelling unit</i> and the <i>attached garage</i>, however such units are not permitted to encroach into the <i>exterior side yard</i>.</p>			

- e) *Porches/Verandas*: are permitted to encroach into the required *interior side yard*, but at no time shall they be located closer than 0.9m to the *interior side yard*.
- f) Landings: shall have a maximum width of 3.0m along the rear *dwelling* face and a maximum depth of 1.5m,
- g) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, *fences* and walls having a maximum height of 2.0m are permitted to enclose that portion of the *yard* bounded by the *dwelling unit*, the *exterior side lot line* and the *residential driveway*.
- h) Visual Clearance at Driveways: on any *lot* where a *residential driveway* enters a *street*, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the *street line*, the *residential driveway* edge and the line connecting them at points 1.0 from their section.
- i) Lane Based Single *Detached* and *Townhouse Dwellings*:
  - A) Frontage on a Street: a *building* or *structure* with access to a *public lane* shall be deemed to conform to the requirements of Section 4.19.1, and further that *Front Lot Line* shall mean where a lot does not have frontage on a *public street* the *lot line* abutting an OS Zone shall be deemed to be the *front lot line*.
- j) Lane Based Single *Detached Dwellings*:
  - A) Minimum *Lot Depth* - Lane Access Interior Unit: 18.0m;
  - B) Minimum required *Rear Yard* to *attached garage* – Lane Access Interior Unit: 0.6m;
  - C) Minimum *Lot Depth* – Lane Access Corner Unit: 18.0m;
  - D) Minimum required *Rear Yard* to *attached garage* – Lane Access Corner Unit: 0.6m
- k) Lane Based *Townhouse Dwellings*:
  - A) Minimum *Lot Depth* - Lane Access Interior Unit: 18.0m;
  - B) Minimum required *Rear Yard* to *attached garage* – Lane Access Interior Unit: 0.6m;
  - C) Minimum *Lot Depth* - Lane Access End Unit: 18.0m;
  - D) Minimum required *Rear Yard* to *attached garage* – Lane Access End Unit: 0.6m;
  - E) Minimum *Lot Depth* – Lane Access Corner Unit: 18.0m;
  - F) Minimum required *Rear Yard* to *attached garage* – Lane Access Corner Unit: 0.6m.

13.1.1.142	115-2009 (Aug 24/09)	C3	*142
NW Corner Derry Rd & Scott St (South Derry Developments Ltd)			
<p><b>i) Additional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>Food Store</i>;</li> <li>b) <i>Retail Store 2</i>;</li> </ul> <p><b>ii) Zone Standards</b></p> <ul style="list-style-type: none"> <li>a) Maximum <i>Lot Area</i>: 14,105m<sup>2</sup>;</li> <li>b) Maximum <i>Gross Floor Area</i> (All <i>Buildings</i> Combined): 2975m<sup>2</sup>;</li> <li>c) Maximum <i>Gross Floor Area</i> (Individual <i>Buildings</i>): 2750m<sup>2</sup>;</li> <li>d) Maximum <i>Front Yard Setback</i>: 9.0m;</li> <li>e) Minimum <i>Exterior Side Yard Setback</i> for <i>buildings</i> with drive-through: 1.0m;</li> <li>f) Maximum <i>Exterior Side Yard Setback</i>: 12.5m;</li> </ul> <p><b>iii) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) <i>Food Store</i> is permitted to a maximum <i>gross floor area</i> of 1579m<sup>2</sup>;</li> <li>b) Maximum <i>height</i> of openings: 4.5m;</li> </ul>			

c) All walls facing a *public street* having a length of more than 15m shall be articulated such that the wall is offset a minimum of 0.2m over a minimum length of 8m.

<b>13.1.1.143</b>	144-2003 148-2009 (Nov 23/09) 049-2015 (Jun 22/15)	C3	<b>*143</b>
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SW corner of Part Lots 11 & 12, Conc 1 (Trafalgar)  
(North Derry Developments Ltd, South Derry Developments Ltd, West Derry Developments Ltd & Northwest Derry Developments Ltd)

For the lands zoned Local Commercial (C3\*143) the following additional provisions apply:

**i) Permitted Uses**

Notwithstanding the permitted *uses* in Table 7B, the only permitted *uses* are:

- a) *Convenience Store*;
- b) *Dry Cleaning Depot*;
- c) *Drive-through Service Facility* associated with a *Motor Vehicle Washing Establishment*;
- d) *Drive-through Service Facility* associated with a *Take-Out Restaurant*
- e) *Motor Vehicle Gas Bar*;
- f) *Motor Vehicle Washing Establishment*;
- g) *Office*;
- h) *Personal Service Shop*;
- i) *Restaurant, Take-Out*
- h) *Retail Store 1 (\*1)*

(\*1) *Retail Store 1* is permitted to have a *Gross Floor Area* of no more than 464.5m<sup>2</sup> and shall only be permitted in a development having a minimum of 3 units.

**ii) Special Zone Standards:**

- a) For the purposes of this by-law, the Derry Road frontage is deemed to be the *front lot line*;
- b) Maximum *Lot Area*: 8500m<sup>2</sup>;
- c) Maximum *Building Height*: 9.5m;
- d) Minimum *Front Yard Setback*: 6m;
- e) Minimum *Exterior Side Yard Setback*: 6m;
- f) *Rear Yard Setback*: 12m;
  
- g) Minimum *Landscape Buffer*:
  - abutting a Daylight Triangle: 7 m
  - abutting a street line: 6m;
  - abutting a Residential *Zone*: shall be 6 m with the exception of the area abutting the driveway and the interior side lot line where it may be reduced to 3 m;
- h) Notwithstanding the *setback* provisions for *buildings*, fuel pump islands and weather canopies must be *setback* a minimum of 7.5m from any *lot line* and a *building* used for a

*motor vehicle washing establishment* must be *setback* a minimum of 12m front any *lot line*.

- i) Minimum setback to queuing lanes from a street line or Residential Zone: 6 m
- j) Pedestrian walkways may be permitted through a queuing lane for a take-out restaurant
- k) Notwithstanding Section 5.18.1 (i) Table 5G to the contrary, the minimum required ingress spaces for a drive through service facility associated with a take-out restaurant shall be thirteen (13) and the minimum required egress spaces shall be seven (7)
- l) A noise wall in excess of 2.5 metres high required to mitigate the noise from a commercial use shall be setback a minimum of 5 m from the lot line
- m) Notwithstanding Section 4.14.2 (v) (a) to the contrary, a deep collection waste disposal container may be permitted in the exterior side yard as long as it is no closer than 15 m from the exterior side lot line

<b>13.1.1.144</b>	144-2003 006-2010 (Jan 25/10)	RLD	<b>*144</b>
995 Thompson Rd S (Part Lot 9, Conc 4 NS)			
<p><b>i) Only Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) <i>Single Detached Dwelling</i>;</li> <li>b) <i>Office Use</i>;</li> <li>c) <i>Medical Clinic</i>;</li> <li>d) <i>Personal Service Shop</i>;</li> </ul> <p><b>ii) Special Site Provisions:</b></p> <ul style="list-style-type: none"> <li>a) The <i>medical clinic, office and personal service uses</i> will be permitted only within the existing <i>building</i> at the time of passing of this By-law or future additions to a maximum of 10% of existing <i>gross floor area</i> of the <i>building</i>;</li> <li>b) Any permitted residential <i>use</i> must comply with Section 5.6.2 of By-law 144-2003, as amended;</li> <li>c) Any non-residential <i>use</i> permitted by this By-law must comply with Section 5.6.1 of By-law 144-2003, as amended;</li> <li>d) Notwithstanding Section 5.12 of the By-law, as amended, to the contrary, any permitted non-residential <i>use</i> may have a 0.0m setback.</li> </ul> <p><b>iii) Zone Standards:</b></p> <ul style="list-style-type: none"> <li>a) For the purposes of this By-law, a <i>parking area</i> is required and both <i>parking areas</i> and <i>parking spaces</i> are subject to the provisions of Section 5 of By-law 144-2003, as amended.</li> </ul>			

<p><b>13.1.1.146</b></p>	<p>144-2003 33-2010 (Mar 29/10) 35-2010 (Mar 29/10) 058-2019</p>	<p>RMD1</p>	<p><b>*146</b> <b>*146a</b></p>
<p>SW corner of Part Lots 11 &amp; 12, Conc 1 (Trafalgar) (North Derry Developments Ltd, South Derry Developments Ltd, West Derry Developments Ltd &amp; Northwest Derry Developments Ltd)</p>			
<p>For lands zoned Residential Medium Density 1*146 (RMD1*146) and Residential Medium Density 1*146a (RMD1*146a), the following standards and provisions also apply:</p> <p>Notwithstanding Section 6.1 Permitted Uses, Table 6A, only the following uses shall be permitted: Detached Dwellings, Shared Housing, and Home Occupation.</p> <p><b><u>Special Zone Standards:</u></b></p> <p>Minimum Required Rear Yard 7.0 m <sup>1</sup> Minimum Required Front Yard 4.0 m <sup>2</sup> Minimum Required Interior Side Yard 1.2 m <sup>2</sup> Minimum Required Exterior Side Yard 4.0 m <sup>2,3</sup></p> <p><sup>1</sup> On a corner lot, where an attached garage is accessed over the exterior side lot line, the minimum required rear yard may be reduced to 0.6 m to a double car garage and 3.9 m to a single car garage.</p> <p><sup>2</sup> applicable to RMD1*146a only</p> <p><sup>3</sup> including interior side yards abutting Main Street and associated buffer blocks</p> <p><b><u>Special General Provisions:</u></b></p> <p>Special Regulations for Detached Garages</p> <p>On a corner lot, where a detached garage is accessed over the exterior side lot line, the minimum required exterior side yard is 5.5 m.</p> <p>Air Conditioners and Heat Pumps</p> <p>Notwithstanding the provisions of Section 4.6.1 to the contrary, on a corner lot, where an attached garage is accessed over the exterior side lot line, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however, such units are not permitted to encroach into the exterior side yard.</p> <p>Encroachments Into Required Yards</p>			



Notwithstanding the provision of Section 4.19.5 ii) to the contrary, eaves and gutters may project into a required front yard, rear yard, interior side yard or exterior side yard a maximum distance of 0.45 m provided that the eaves and gutters are 2.0 m above grade.

#### Decks

In addition to the provisions of Section 4.3.1, on a corner lot, where an attached garage is accessed over the exterior side lot line, a deck may be located within the exterior side yard provided that the deck complies with the greater of the minimum exterior side yard requirement applicable to the dwelling unit or the actual exterior side yard measured between the property line and the dwelling face.

#### Individual Driveway Access to Residential Dwelling Units

In addition to the provisions of Section 5.6.2 i), on a corner lot, where an attached or detached garage is accessed over the exterior side lot line, in no case shall a driveway encroach into a required rear yard.

#### Fencing

Notwithstanding Section 4.8.1 Fencing, subsection 4.8.1 i) and 4.8.1 ii):

- a. Within an interior side yard or rear yard, the maximum fence height shall be 2.0 metres;
- b. Within a front yard or an exterior side yard, the maximum fence height shall be no higher than 1.0 m\*, except that for that portion of the exterior side yard which adjoins the rear yard of a corner lot, the maximum fence height along the common property boundary may be no higher than 2.0 m. (\* 1.2m for an open wrought iron fence)
- c. For Lots abutting Main Street and associated buffer blocks, the interior side lot line adjacent to Main Street will be considered to be an exterior side yard for the purposes of determining the fence height.

#### Visual Clearance at Driveways

Notwithstanding any other provisions of this By-law to the contrary:

- a. on all lots abutting a driveway, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the driveway edge and the street line and a line connecting them at points 2.0 metres from their intersection; and
- b. any lot where a driveway enters a street, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the street line, the driveway edge and a line connecting them at points 2.0 meters from their intersection.

<b>13.1.1.147</b>	144-2003 33-2010 (Mar 29/10)	RMD1	<b>*147</b>
<p>SW corner of Part Lots 11 &amp; 12, Conc 1 (Trafalgar) (North Derry Developments Ltd, South Derry Developments Ltd, West Derry Developments Ltd &amp; Northwest Derry Developments Ltd)</p>			
<p>For lands zoned Residential Medium Density 1*147 (RMD1*147), the following standards and provisions also apply:</p> <p><u>Special Zone Standards:</u></p> <p>Minimum Required Rear Yard 7.0 m <sup>1</sup></p> <p><sup>1</sup> On a corner lot, where an attached garage is accessed over the exterior side lot line, the minimum required rear yard may be reduced to 0.6 m to a double car garage and 3.9 m to a single car garage.</p> <p><u>Special General Provisions:</u></p> <p>Special Regulations for Detached Garages</p> <p>Notwithstanding Section 4.2.2.2 i), on a corner lot, where a detached garage is accessed over the exterior side lot line, the minimum required exterior side yard is 5.5 m.</p> <p>Air Conditioners and Heat Pumps</p> <p>Notwithstanding the provisions of Section 4.6.1 to the contrary, on a corner lot, where an attached garage is accessed over the exterior side lot line, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however, such units are not permitted to encroach into the exterior side yard.</p> <p>Encroachments Into Required Yards</p> <p>Notwithstanding the provision of Section 4.19.5 ii) to the contrary, eaves and gutters may project into a required front yard, rear yard, interior side yard or exterior side yard a maximum distance of 0.45 m provided that the eaves and gutters are 2.0 m above grade.</p> <p>Decks</p> <p>In addition to the provisions of Section 4.3.1, on a corner lot, where an attached garage is accessed over the exterior side lot line, a deck may be located within the exterior side yard provided that the deck complies with the greater of the minimum exterior side yard requirement applicable to the dwelling unit or the actual exterior side yard measured between the property line and the dwelling face.</p>			

**Individual Driveway Access to Residential Dwelling Units**

In addition to the provisions of Section 5.5.2 ii), on a corner lot, where an attached or detached garage is accessed over the exterior side lot line, in no case shall a driveway encroach into a required rear yard.

**Fencing**

In addition to the provisions of Section 4.8.1, on a corner lot, where an attached or detached garage is accessed over an exterior side lot line, fences and walls, having a maximum height of 1.8 m, are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line and the driveway.

**Visual Clearance at Driveways**

Notwithstanding any other provisions of this By-law to the contrary:

- a) on all lots abutting a driveway, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the driveway edge and the street line and a line connecting them at points 2.0 metres from their intersection; and
- b) on any lot where a driveway enters a street, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the street line, the driveway edge and a line connecting them at points 2.0 meters from their intersection.

<b>13.1.1.148</b>	144-2003 April 26/10	EMP-2	<b>*148</b>
330-336 Bronte St			
<b>i) Additional Permitted Use:</b>			
School			
<b>ii) Zone Standards:</b>			
a) Front Yard Setback (Minimum): 4.5 m			
b) Landscape Buffer Abutting a Street (Minimum): 4.5 m			

<b>13.1.1.149</b>	144-2003 084-2010 (June 28/10)	RMD2	<b>*149</b>
PART OF THE NORTH EAST HALF OF LOT 10, CONCESSION I, NS (TRAFALGAR), FILE: Z-29/05			
For lands zoned Residential Medium Density 2 *149 (RMD2*149), the following provisions apply:			
<ul style="list-style-type: none"> <li>i) Notwithstanding Section 6.2 Table 6A to the contrary, a semi-detached dwelling is a permitted use and shall comply with all of the applicable requirements of the RMD1 zone.</li> <li>ii) Notwithstanding Section 5.6.2 iii), b) to the contrary, for lots with adjoining Residential Driveways on abutting properties, the minimum residential Driveway width shall be 3.2 m each, with a minimum combined width of 6.4 m.</li> <li>iii) Notwithstanding Section 5.6.2 iii) e) to the contrary, no person shall permit a Residential Driveway exceeding the width of 3.35m for lots having a frontage of less than or equal to 6.5 m.</li> </ul>			

<b>13.1.1.150</b>	144-2003 89-2010 (July 19/10)	RMD1	<b>*150</b>
PART OF LOTS 8 AND 9, CONCESSION 2, N.S., (TRAFALGAR), MACRI DIXON INVESTMENTS INC., 6720137 CANADA LIMITED, 2040485 ONTARIO LIMITED (MATTAMY DEVELOPMENT CORPORATION), FILE Z-17-08 (24T-08004/M) (PD-025-2010)			
i) <u>Special Zone Standards:</u>			
<b>Single Detached Dwelling – Street Access Interior</b>			
Minimum <i>lot frontage</i> – 9.15 metres			
<b>Single Detached Dwelling-Street Access Corner</b>			
An attached garage may be located no closer than 0.6m from the <i>rear lot line</i> , if the garage is accessed by a <i>residential driveway</i> crossing the <i>exterior side lot line</i> .			
Notwithstanding Section 5.12, Table 5L, to the contrary, for corner lots at the intersection of 2 local <i>public streets</i> , no part of any <i>residential driveway</i> shall be located closer than 4.7 metres from the point of intersection of the two local <i>street lines</i> .			
Notwithstanding Section 6, Table 6C and Section 4.2.2.1 iii), to the contrary, on a corner lot at the intersection of 2 local <i>public streets</i> , the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.			
ii) <u>Special Residential Provisions:</u>			

#### Street Front Treatment of Street Access Interior Single Detached Dwellings

The *dwelling* shall have a minimum *dwelling* face, which may include the *porch/veranda*, of 3.3 metres provided that no more than 60% of the *building* face is used for the garage portion of the elevation.

In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 m provided the dwelling face or porch/veranda is even with or projects beyond the garage face.

Where a garage door faces the *interior side lot line* or the wall of the garage nearest the *front lot line* and the wall of the garage nearest the *exterior side lot line* shall be considered *dwelling* face.

#### Street Front Treatment of Street Access Corner Single Detached Dwellings

The *dwelling* shall have a minimum *dwelling* face, which may include the *porch/veranda*, of 3.3 metres provided that no more than 62% of the *building* face is used for the garage portion of the elevation.

Notwithstanding Section 6.3.1.1 v), to the contrary, the garage portion of the elevation may project beyond the *dwelling* face or *porch/veranda* portion of the elevation.

In the case of a staggered double car garage, the *dwelling* shall have a minimum *dwelling* face, which may include a *porch/veranda*, of 2.5 metres.

Where a garage door faces the *interior side lot line* or the *rear lot line* the wall of the garage nearest the *front lot line* and the wall of the garage nearest the *exterior side lot line* shall be considered *dwelling* face.

#### **Special General Rules for attached garages**

In the case of a staggered double car garage, one garage is permitted to have a minimum *setback* of 2.0 metres to the *front lot line* providing that the second garage has a minimum *setback* of 5.5 metres to the *front lot line*.

Where a garage door faces an *interior side lot line* the garage door and the wall of the garage nearest to the *front lot line* shall have a minimum *setback* of 2.0 metres

- b.**  
*Air conditioners and Heat Pumps*

Notwithstanding the provisions of Section 4.6.1 to the contrary, on a *corner lot*, where an attached garage is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located

between the *dwelling* unit and the attached garage, however such units are not permitted to encroach into the *exterior side yard*.

#### Porches/Verandas

Notwithstanding to the contrary the provisions of Section 4.4, *Porches/Verandas* are permitted to encroach into the required *interior side yard*, but at no time shall they be located closer than 0.9 metres to the *interior side lot line*.

c.

#### Landings

A landing shall have a maximum width of 3.0 metres along the rear *dwelling* face and a maximum depth of 1.5 metres.

#### Fencing

In addition to the provisions of Section 4.8.1, on a *corner lot*, where an attached or detached garage is accessed over the *exterior side lot line*, fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the *yard* bounded by the *dwelling* unit, the *exterior side lot line* and the *residential driveway*.

d.

#### Visual Clearance at Driveways

Notwithstanding any provision of this By-law to the contrary:

On any *lot* where a *residential driveway* enters a *street*, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the *street line*, the *residential driveway* edge and the line connecting them at points 1.0 from their intersection.

### **Special Setbacks – Natural Gas Distribution System**

Notwithstanding any provision of this By-law to the contrary:

No Building or Structure shall be located any closer than 13m to any natural gas transmission pipeline, or any natural gas facility or equipment operated as part of a natural gas transmission system.

#### *Lane Based Single Detached and Townhouse Dwellings*

Frontage on a *street*:

Notwithstanding the provisions of Section 4.19.1 to the contrary, a *building or structure* with access to a *public lane* shall be deemed to conform to the requirements of Section 4.19.1, and further that *Front Lot Line* shall mean the following:

Front Lot Line:

Notwithstanding the definition of *front lot line* in Section 3, where a *lot* does not have *frontage* on a *public street* the *lot line* abutting an OS Zone shall be deemed to be the *front lot line*.

**Lane Based Single Detached Dwellings**

Single Detached Dwelling – Lane Access Interior Unit

Minimum *Lot Depth* – 18.0m  
 Minimum required *rear yard* to attached garage 0.6m

Single Detached Dwelling – Lane Access Corner Unit

Minimum *Lot Depth* – 18.0m  
 Minimum required *rear yard* to attached garage 0.6m

**Lane Based Townhouse Dwellings**

Townhouse Dwelling – Lane Access Interior Unit

Minimum *Lot Depth* – 18.0m  
 Minimum required *rear yard* to attached garage – 0.6m

Townhouse Dwelling – Lane Access End Unit

Minimum *Lot Depth* – 18.0m  
 Minimum required *rear yard* to attached garage – 0.6m

Townhouse Dwelling – Lane Access End Corner Unit

Minimum *Lot Depth* – 18.0m  
 Minimum required *rear yard* to attached garage – 0.6m

<b>13.1.1.151</b>	144-2003 89-2010 (July 19/10)	RMD1	<b>*151</b>
PART OF LOTS 8 AND 9, CONCESSION 2, N.S., (TRAFALGAR), MACRI DIXON INVESTMENTS INC., 6720137 CANADA LIMITED, 2040485 ONTARIO LIMITED (MATTAMY DEVELOPMENT CORPORATION), FILE Z-17-08 (24T-08004/M) (PD-025-2010)			
i. <u>Only Permitted Uses:</u>			
a. Apartments – Minimum 70 units			
Permitted Uses <b>in addition</b> to an Apartment Building:			

- b. Back to Back Townhouses
  - c. Multiple Attached Dwellings
  - d. Townhouses
- ii. Zone Standards for Apartment Uses:
- a) Louis St Laurent shall be deemed to be the *Front Lot Line*;
  - b) Maximum Lot Coverage: 30%
  - c) Minimum Front Yard Setback abutting Louis St. Laurent: 6.0m
  - d) Maximum Front Yard Setback abutting Louis St. Laurent: 10.0m
    - e) Minimum *Rear Yard Setback*: 10.5 m
    - f) Minimum Exterior Side Yard Setback abutting Bronte Street: 6.0m
    - g) Maximum Exterior Side Yard Setback abutting Bronte Street: 10.0m
    - h) Minimum Interior Side Yard Setback: 6.0m
    - i) Minimum Height: 4 storeys
    - j) Maximum Height: 10 storeys
    - k) The parking requirement for an apartment building shall be 1.5 spaces per unit.  
Notwithstanding the foregoing, the rate for one bedroom units shall be 1.25 spaces per unit.
- Visitor parking shall be provided at a rate of 0.25 spaces per unit.
- iii. Zone Standards for Multiple Dwellings:
- a. Shall be subject to the RMD2 requirements and restrictions;
  - b. The private road shall be deemed to be the *Front Lot Line*;
- iv. Zone Standards for Back to Back Townhouses:
- a. Shall be subject to the RMD2 requirements and restrictions;
  - b. The private road shall be deemed to be the *Front Lot Line*;
- v) Zone Standards for Townhouses:
- a. Shall be subject to the RMD2 requirements and restrictions;
  - b. The private road shall be deemed to be the *Front Lot Line*;
- vi) Special Site Provisions:
- a. Setback of Parking Area to a Street Line: 3.0 m
  - b. The minimum exterior side yard is 2.0m if the yard abuts a public or private right of way of less than 18m wide
  - c. Underground Parking Structure Setback to a Street Line: 0.6m
  - d. Underground Parking Structure Setback to a Lot Line: 0.0m



- e. Stairwells accessing underground parking structures may be located within the minimum landscape buffer abutting a street line;
- f. Balconies shall be permitted in interior side yards;
- g. Setback of Entrance and Exit Ramps of a Parking Structure to a Street Line: 4.5m

<b>13.1.1.152</b>	144-2003 107-2010 (Aug 23/10)	RMD1	<b>*152</b>
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PART OF LOT 11, CONCESSION IV (TRAFALGAR), MILTON MOSAICS LIMITED.

**Special Zone Provisions**

Notwithstanding any provisions of Table 6C to the contrary, for lands zoned RMD1\*152, the following provisions apply to any single detached and townhouse dwellings:

**Zone Standards:**

Minimum Lot Depth: 23.8 metres

**Special Site Provisions:**

- a. A driveway is permitted to encroach into a required interior side yard.
- b. Bay or box projection, be it a window or door, with or without foundations to a maximum of 1.00m into any required front, rear or flankage yard and maximum 4.00m wide.

<b>13.1.1.153</b>	144-2003 132-2010 (Oct 12/10)	RMD2	<b>*153</b>
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PART OF LOT 10, CONCESSION 11, (TRAFALGAR), TOWN OF MILTON MILTONBROOK LANDHOLDINGS CORPORATION, MILTON HOSPITAL LANDS INCORPOREE (MILTONBROOK), FILE: D.14 Z-27/05, 24T-05011/M – PHASE 3

**Notwithstanding** any provisions of the By-law to the contrary, for lands zoned Residential Medium Density 2\*153, the following standards and provisions apply:

- a) For the purpose of this By-law, a lane is defined as a public or private thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
- b) For the purpose of this By-law, a lane access townhouse shall be defined as a townhouse with a detached garage in the rear yard accessed by a private lane.
- c) For the purposes of this By-law where the front or rear lot line of a corner lot has a curved radius, for the purposes of determining lot frontage and/or lot depth, the radius shall be deemed not to exist.

**Zone Standards**

**Townhouses**

Minimum Lot Frontage:	Street Access Interior Unit:	5.9 metres
	Street Access End Unit:	7.5 metres
	Street Access End Corner Unit:	6.5 metres

Notwithstanding the exterior side yard setback to the contrary, for POTL's abutting common element parking areas, the minimum required exterior side yard shall be 1.8 metres.

**Lane Access Townhouses**

Minimum Lot Frontage:	Street Access end Corner Unit:	7 metres
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Minimum Lot Depth: 28.5 metres  
Minimum Exterior side Yard Setback: 1.7 metres  
Minimum Required Rear Yard: 13.25 metres

Notwithstanding Section 5.6.2 iii) e) A) of the By-law to the contrary, for the lane access townhouses the maximum driveway width shall be 6.0 metres.

Notwithstanding Section 4.2.2.2 iii) of the By-law to the contrary, a detached garage shall be located no closer than 0.8 metres to the rear lot line.

Notwithstanding Section 6.2 (Table 6D) (Footnote \*2) of the By-law to the contrary, parking of a motored vehicle is permitted in the required rear yard.

Notwithstanding Section 6.3.2.3 Porches/Verandas are permitted in the exterior, *interior* and front yards.

**Special Site Provisions:**

**Parking:**

Notwithstanding Section 5.12 (Table 5L) of the By-law to the contrary, parking areas may be set back 0.0 metres to POTL lines.

Notwithstanding Section 5.8.1 (Table 5E) of the By-law to the contrary, for townhouses the parking requirement is 2 spaces per dwelling unit plus 0.25 spaces per unit for visitors on a lot with 4 or more POTL's.

<b>13.1.1.154</b>	144-2003 013-2011 (Jan 24/11)	OS	<b>*154</b>
PART LOT 12 AND 13, CONCESSION II (TRAFALGAR), FILE: Z-05/10			
1.			
i) The minimum width of a landscape buffer shall be 3.0 metres abutting a street line or a residential zone.			
ii) The minimum yard setbacks shall not apply to the following cemetery uses: a plot for interment and the placement of an associated memorial stone.			

<b>13.1.1.155</b>	144-2003 021-2011 (Feb 28/11)	I-A	<b>*155</b>
LOT 10, CONCESSION IV, N.S., (TRAFALGAR), (SUMMERWOOD ESTATES INC. Phase 2), FILE Z-07/05 (24T-05004/M)			
i) LOT AREA maximum 3.5 ha.			

<b>13.1.1.156</b>	144-2003 062-2011 (June 27, 2011)	RMD2	<b>*156</b>
PART OF LOT 8, CONCESSION 2, N.S., (TRAFALGAR), MATTAMY (WILLMOTT) LIMITED, FILE Z-02/10 (24T-10001/M) PD-041-11			
<b>THAT</b> Section 13.1 of Comprehensive By-law 144-2003 is hereby further amended by adding subsection 13.1.1.156* as follows:			
Residential Medium Density II -Special Section (RMD2*156) Zone			
i) <u>Zone Standards for Street Access Townhouse Uses:</u>			
a. Minimum lot frontage, street access Interior Unit – 5.5m			
b. Minimum lot frontage, street access End Unit – 7m			
c. Minimum lot frontage, street access End Corner Unit – 8.5m			
d. The dwelling shall have a minimum dwelling face, which may include the porch or veranda, of 2.0m provided that no more than 65% of the building face is used for the garage portion of the elevation.			
ii) <u>Zone Standards for Lane Based Townhouse Uses:</u>			
e. Minimum lot frontage, lane access Interior Unit – 4.4m			
f. Minimum lot frontage, lane access End Unit – 5.9m			
g. Minimum lot frontage, lane access End Corner Unit – 5.9m			
h. Minimum lot depth – 18.5m			
i. Minimum rear yard setback to the attached garage – 0.6m			
iii) <u>Zone Standards for Back to Back Townhouse Uses:</u>			

<p>iv) <u>Zone Standards for Multiple Dwellings:</u></p>	<p>a. Minimum Lot Frontage, private street access End Corner Unit – 8.0m</p> <p>a. The front lot line shall be deemed the lot line opposite the private street;</p> <p>b. Minimum lot frontage – 18.5m</p> <p>c. Minimum lot depth – 18.5m</p> <p>d. Minimum front yard setback – 1.5m</p> <p>e. Minimum rear yard setback – 1.5m</p> <p>f. Minimum exterior side yard setback – 2.0m if the yard abuts a public or private right of way less than 18m;</p> <p>g. Minimum exterior side yard setback – 2.4m if yard abuts a public right of way greater than 18m;</p> <p>h. Minimum Interior side yard setback end unit – 1.2m</p> <p>i. Minimum rear yard setback to the attached garage – 5.5m</p> <p>j. Minimum landscaped open space – no minimum</p> <p>k. Balconies are permitted in the rear yard, but at no time shall be permitted closer than 1.5m to the property line.</p>
<p>iv) <u>Special Site Provisions:</u></p>	<p>a. Minimum setback of a visitor parking area to a dwelling or structure – 1.5m</p> <p>b. Minimum setback of visitor parking area to a street line - 3.0 m</p> <p>c. Minimum setback of a visitor parking area to a lot line – 0m</p>

<b>13.1.1.157</b>	144-2003 064-2011 (July 18/11)	GB	<b>*157</b>
PART LOT 12 AND 13, CONCESSION II (TRAFALGAR), FILE: Z-05/10 Evergreen Cemetery			
<b>THAT</b> Section 13.1 is amended by adding subsection 13.1.1.157 and Section 13.1.1.157 to read as follows:			
<p>i)</p> <p>ii)</p>	<p>Permitted uses will include a cemetery use, limited to a soft surface looped trail, 1.5 metres in width, with an area, 1.5 metre in width, on either side of the trail for the interment of cremated remains, columbaria, memorial stones and benches.</p> <p><b>Zone Standards</b></p> <p>a) <i>Setbacks</i></p> <p style="padding-left: 20px;"><i>Front Yard</i> : 6.0m</p> <p style="padding-left: 20px;"><i>Interior Side Yard</i> : 3.0m</p> <p style="padding-left: 20px;"><i>Exterior Side Yard</i> : 6.0m</p> <p style="padding-left: 20px;"><i>Rear Year</i> : 6.0m</p> <p style="padding-left: 20px;"><i>Lot Coverage</i> :15% (Maximum)</p>		

<b>13.1.1.158</b>	144-2003 114-2011 (Oct 24, 2011)	RMD2	<b>*158</b>
PART OF BLOCK 213, REGISTERED PLAN 20M-821, CANCAST INC., FILE Z-09/10 (PD-071-11)			
<p>THAT Section 13.1 of Comprehensive By-law 144-2003 is hereby further amended by adding subsection 13.1.1.158 as follows:</p> <p>i. For the purposes of this By-law, a Live-Work Unit means</p> <p style="padding-left: 40px;"><i>“Live-Work Unit” means a dwelling unit within a building divided vertically, containing not more than 7 units, in which the portion of the building at grade level may be used as a business establishment and whereby each “live” and “work” component within the dwelling unit has an independent entrance from the outside.</i></p> <p>ii. Permitted Uses</p> <p style="padding-left: 40px;">a. Live-Work Units</p> <p style="padding-left: 40px;">b. Back-to-Back Townhouse Dwellings</p> <p>iii. Notwithstanding the provisions of Section 3 to the contrary:</p> <p style="padding-left: 40px;">a. One of the following uses may be permitted within the work component of a live work unit:</p> <p style="padding-left: 80px;">1) a cottage industry</p> <p style="padding-left: 80px;">2) a home daycare</p> <p style="padding-left: 80px;">3) a retail store having a maximum gross floor area of 75 square metres</p> <p style="padding-left: 40px;">b. A back-to-back townhouse dwelling may contain a maximum of 20 dwelling units</p> <p style="padding-left: 40px;">c. A balcony may be supported by vertical uprights</p> <p>iv. For the purpose of this By-law, the Front Lot Line for the Live-Work Units is deemed to be the lot line abutting Main Street.</p> <p>v. Notwithstanding the provisions of Section 4 and 6 to the contrary:</p> <p style="padding-left: 40px;">a. No air conditioning units or heat pumps shall be placed at grade level.</p> <p style="padding-left: 40px;">b. No air conditioning units or heat pumps shall be positioned in a way that obstructs required parking spaces.</p> <p style="padding-left: 40px;">c. Air conditioning units or heat pumps shall be screened from any street.</p> <p style="padding-left: 40px;">d. Porches and balconies are permitted on each back-to-back dwelling unit provided that they are no closer than 1.8 metres to a street and 1.0 metre to a sidewalk.</p>			

- e. Balconies are permitted on each Live-Work Unit provided that they are no closer than 1.5 metres to a street.
  - f. No fences, walls or hedges are permitted at grade, apart from on the easterly lot line of Block 213, Registered Plan 20M-821, where a fence not exceeding 2m in height is permitted.
  - g. Privacy screens are only permitted along the dividing wall between two adjoining balconies and porches. Privacy screens shall not exceed a maximum height of 1.5m above grade or floor level.
  - h. A maximum of 11 residential buildings are permitted within an RMDII\*158 Zone.
  - i. A landscape buffer having a minimum width of 2 metres is required along the east lot line of Block 213, Registered Plan 20M-821.
  - j. The provisions of Section 4.13 do not apply to a cottage industry operating as a business establishment within the first storey of a Live-Work Unit.
- vi. Notwithstanding the provisions of Section 5 to the contrary:
- a. A parking area is permitted 0.0m from the western side lot line.
  - b. The minimum length of a residential driveway shall be 5.8 metres.
  - c. The minimum width of a single residential driveway shall be 3 metres and the minimum combined width of two abutting driveways shall be 6 metres.
  - d. A residential driveway is permitted in the rear yard of a Live-Work Unit.
  - e. The minimum setback from a common parking area to any building or structure shall be 1.5 metres;
  - f. A minimum of 2 parking spaces per dwelling unit, plus 0.25 spaces per unit for visitors in a common element parking area, are required for each Back-to-Back Townhouse Dwelling Unit.
  - g. The minimum off-street parking requirements for each Live-Work Unit shall be:
    - 1) 1 residential parking space per unit located at the rear of each unit
    - 2) 1 commercial parking space per unit located at the rear of each unit
    - 3) 1.2 visitor parking spaces per unit
    - 4) 10 bicycle parking spaces
    - 5) The provisions of Section 5.10 do not apply.
- vii. Notwithstanding the provisions of Section 6 to the contrary:
- a. The maximum number of back-to-back dwelling units shall be 128.
  - b. The minimum front yard setback from a street shall be 2.8 metres.
  - c. For the purposes of this by-law “front yard setback” for back-to-back dwelling units shall mean the distance from the private street to the nearest wall of the principal building, structure or use on the lot.

- d. The minimum distance between buildings shall be 3.0 metres.
- viii. Notwithstanding the provisions of Section 6 to the contrary, for Live-Work Units:
  - a. A maximum of 25 Live-Work Units shall be permitted within the RMDII\*158 zone
  - b. The business establishment shall only be located within the first storey.
  - c. The first storey shall have a minimum ceiling height of 2.75 metres above grade
  - d. All waste from the business establishment shall be stored internally to the Live-Work Unit.
  - e. The business establishment may employ one or more persons residing within the associated residential component and no more than two additional employees.
  - f. Notwithstanding the list of permitted uses in Section 6.1 – Table 6A to the contrary, only one of the following uses shall be permitted within a Live-Work Unit in addition to a dwelling unit:
    - 1) Art Gallery
    - 2) Convenience Store
    - 3) Cottage Industry
    - 4) Home Day Care
    - 5) Dry Cleaning Depot
    - 6) Office
    - 7) Personal Service Shop
    - 8) Retail Store
  - g. Minimum front yard setback shall be 1.0 metre
  - h. Minimum distance between buildings shall be 3.0 metres
  - i. Maximum building height shall be 12.5 metres
- xi. Specific Site Provisions:

Notwithstanding the provisions of Section 6 to the contrary, the following specific provisions shall apply to each Parcel of Tied Land, as defined in the Condominium Act:

  - a. Minimum required lot depth for a back-to-back dwelling unit shall be 10.0 metres, measured from the street line to the rear property line.
  - b. Minimum required lot depth for a live-work unit shall be 19.0 metres.
  - c. Minimum required p-o-t-l lot frontage width shall be 3.0 metres.
  - d. Minimum required front yard setback for a back-to-back dwelling shall be 2.8 metres from a street.

- e. For the purposes of this by-law “front yard setback” for back-to-back dwelling units shall mean the distance from the private street to the nearest wall of the principal building, structure or use on the lot.
- f. Minimum required front yard setback for a live-work unit shall be 1.0 metres.
- g. Minimum required setback from all other lot lines shall be 0.0 metres.
- h. Minimum width of required landscape buffer along the front lot line of back to back units shall be 1.2 metres.
- i. A landscape buffer shall not be required along the front lot line of the live-work units.

<b>13.1.1.159</b>	144-2003 113-2011 (Oct 24, 2011)	A2	<b>*159</b>
PART 1, PLAN 20R-18154, PART OF LOT 13, CONCESSION III NASSAGAWEYA), FILE: Z-06/10			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.160</b>	144-2003 124-2011 (Dec 19/11)	RMD2	<b>*160</b>
PART OF LOT 10, CONCESSION I, N.S., (TRAFALGAR), MATTAMY (MILTON WEST) LIMITED, “BIASON PHASE 6A”, FILE Z-01/11 SOUTH EAST CORNER DERRY ROAD AT TREMAINE ROAD			
<p>1. <b>THAT</b> Section 13.1 of Comprehensive By-law 144-2003 is hereby further amended by adding subsection 13.1.1.160 as follows:</p> <p style="text-align: center;"><b>Residential Medium Density 2*160-Special Section, (RMD2*160) Zone</b></p> <p>i) <u>Zone Standards for Townhouse Uses:</u></p> <ul style="list-style-type: none"> <li>a. Definition: Dwelling, Townhouse <ul style="list-style-type: none"> <li>1. Means a building containing no more than 10 dwelling units that is divided vertically and where each unit is divided by a <i>common wall</i> and whereby each unit has an independent entrance into the unit from the outside, and has access to the rear yard through non-habitable living space or by way of an external easement or through a condominium common element area.</li> </ul> </li> <li>b. Derry Road and Tremaine Road shall be deemed the Front Lot Line for units fronting on to Derry Road and Tremaine Road;</li> <li>c. The private road shall be deemed to be the <i>Front Lot Line</i> for all other units;</li> <li>d. Section 5.6.2. iv) shall not apply.</li> </ul>			



e.	Minimum lot frontage, private street access Interior Unit-	4.2m
f.	Minimum lot frontage, private street access End Unit-	5.9
g.	Minimum lot frontage, private street access End Corner Unit-	5.9m
h.	Minimum lot depth-	18.5m
i)	Minimum rear yard setback-	3.5m
j.	Minimum rear yard setback for units fronting onto Tremaine Road-	1.9m
	except for Block 1, Unit 6 which may be setback-	1.47m
k.	Minimum rear yard setback for units fronting onto Derry Road-	2.70m
	except for Block 5, Unit 1 which may be setback-	1.16 m
l.	Porches/verandas and balconies where located in the rear yard are permitted to encroach to a maximum of 1.0m to the rear property line.	
m.	Porches/verandas and balconies where located in the rear yard of units fronting onto Tremaine Road are permitted to encroach to a maximum of 1.0m to the rear property line.	
n.	Porches/verandas and balconies where located in the rear yard of units fronting onto Derry Road are permitted to encroach to a maximum of 1.9m to the rear property line.	
o.	No more than 80% of the main floor building face is to be used for the garage portion of the front elevation.	
p.	Section 4.7.4 shall not apply.	
ii)	<u>Zone Standards for Back to Back Townhouse Uses:</u>	
	a.	The private road shall be deemed to be the Front Lot Line.
	b.	Minimum Lot Frontage, private street access End Corner Unit- 8.0m
iii)	<u>Special Site Provisions:</u>	
	a.	Minimum setback of a parking area to a dwelling or structure- 1.2m
	b.	Minimum setback of a parking area to a lot line- 0m
	c.	The minimum exterior side yard is 1.2m
	d.	Balcony
	1.	Means a platform that may be partially enclosed projecting from the main wall of a building which may not be supported by vertical uprights other than the wall itself except when located above a porch/veranda, patio or exclusive use driveway and which is only accessible from within a building
	e.	Section 5.6.2. ii) e) shall not apply.
	f.	Section 5.6.2. iv) shall not apply.
	g.	Section 5.6.2. v) shall not apply.
	h.	Section 5.6.2. vi) b) shall not apply.

<b>13.1.1.161</b>	144-2003 139-2011 (Dec 19/11)	CBD-B	<b>*161</b>
<p>IDENTIFIED AS 407 PINE STREET AND PORTION OF BRUCE STEET UNOPENED ROAD ALLOWNACE, PART OF LOT 4, BLOCK 15, TEETZEL SURVEY, PART LOT 9, TEETZEL SURVEY AS CLOSED IN BY-LAW 387873 SFT 399439 BETWEEN PEARL STREET AND PINE STREET, PARTS 1,2 ,3 ON 20R-19054, TOWN OF MILTON, SCHEDULE A, FILE D14 Z-14/11</p>			
<p>THAT That Section 13 of Comprehensive Zoning By-law 144-2003 is hereby further amended by adding subsection 13.1.1.161 as follows:</p> <ul style="list-style-type: none"> <li>i. Only Uses Permitted: <ul style="list-style-type: none"> <li>a. Art Gallery;</li> <li>b. Commercial School- Skill;</li> <li>c. Commercial School - Trade;</li> <li>d. Office Use;</li> <li>e. Office Building;</li> <li>f. Medical Clinic;</li> <li>g. Personal Service Shop;</li> <li>h. Uses permitted within the I-B Zone</li> </ul> </li>   <li>ii. Zone Standards: <p>Notwithstanding the Section 7.2 (Table 7C) to the contrary, the following zone standards shall apply:</p> <ul style="list-style-type: none"> <li>a. Front Yard Setback (Maximum): 10.5 m</li> <li>b. Rear Yard Setback (Minimum): 6.5 m</li> <li>c. West Side Interior Side Yard (Minimum): 0.47 m</li> <li>d. Landscape Buffer (abutting a residential zone): 0.47 m</li> </ul> </li>   <li>iii. Special Site Provisions: <ul style="list-style-type: none"> <li>a. Standard perpendicular parking stalls may have a minimum length of 5.4 metres</li> <li>b. Accessible parking spaces may have a minimum length of 5.4 metres</li> <li>c. Accessible ramp may have a setback of 0 metres from front property line.</li> <li>d. Parking areas may be setback 0 metres from any building or structure.</li> <li>e. The existing parking spaces may encroach over the front lot line into the road allowance.</li> <li>f. Notwithstanding Section 5.8.2. (Table 5G) ("parking requirements") to the contrary, the following uses (or any combination thereof) shall only require 12 parking spaces (inclusive of two accessible parking spaces): Art Gallery; Commercial School- Skill; Commercial School - Trade; Office Use; Office Building; Medical Clinic; Personal Service Shop.</li> </ul> </li> </ul> <p>For the purposes of this By-law, the above noted zone standards and special site provisions shall apply to the existing site condition and any new development of the site must conform to the all of the applicable zone standards and provisions of By-law 144-03, as amended.</p>			

<b>13.1.1.162</b>	53-2012 (Apr 23/12) 155-2012 (Nov 26/12)	C3	<b>*162</b>
PART OF LOT 8, CONCESSION III, N.S., (TRAFALGAR), FILE Z-19/11			
<p><b>THAT</b> Section 13.1 of Comprehensive By-law 144-2003 is hereby further amended by adding subsection 13.1.1.162 as follows:</p> <p>Local Commercial – Special Section (C3*162)</p> <p>i) Only Permitted Uses:</p> <ul style="list-style-type: none"> <li>a. Drive Through Service Facility</li> <li>b. Restaurant</li> </ul> <p>ii) Special Site Provisions:</p> <ul style="list-style-type: none"> <li>a. Maximum lot area – 4100m<sup>2</sup> is proposed</li> <li>b. Maximum front yard setback – 9.4 m</li> <li>c. Minimum landscape buffer abutting a street line – 0.9 metres</li> <li>d. Notwithstanding Section 4.14.2 iii) to the contrary, food waste associated with a restaurant use may be stored in a deep collection waste disposal system</li> <li>e. Notwithstanding Section 4.18 v) a Restaurant Patio shall be located a minimum of 0.9 metres from any lot line</li> <li>f. Notwithstanding Section 5.18.1 i), Table 5N to the contrary, .the minimum required ingress spaces for a drive-through restaurant shall be 16.</li> <li>g. Notwithstanding Section 5.18.5 to the contrary an aisle shall be permitted to extend through the queuing lane.</li> </ul>			

<b>13.1.1.163</b>	071-2012 (May 28/12)	RMD2	<b>*163</b>
PART OF LOT 9, CONCESSION 1, N.S., (TRAFALGAR), Mattamy (Willmott) limited, FILE Z-15/11 (24T-11006/M)			
Residential Medium Density 2*Special (RMD2-163*) Zone			
<p>i) Zone Standards for Back to Back Townhouse Uses:</p> <ul style="list-style-type: none"> <li>a. Minimum Front Yard Setback – 2.0m</li> </ul> <p>ii) Special Provisions for Back to Back Townhouses</p> <ul style="list-style-type: none"> <li>c. Balconies are permitted within 2.0m of the property line</li> </ul>			

<b>13.1.1.164</b>	077-2012(June 25/12)	RMD1	<b>*164</b>
PART OF LOT 11, CONCESSION 4, NS (TRAFALGAR), FILE: Z-06/11			
<p>i) Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Medium Density 1 *164 (RMD1*164), the following standards and provisions shall apply:</p> <ul style="list-style-type: none"> <li>(a) The minimum frontage will be 8.5 metres.</li> </ul>			

<b>13.1.1.165</b>	084-2012 (June 25/12)	M1	<b>*165</b>
PART OF LOT 11, CONCESSION 4, NS (TRAFALGAR), FILE: Z-06/11			
Business Park – Special Section (M1*165)			
i) Special Site Provisions:			
aa) Minimum required rear yard – 2.5 metres			

<b>13.1.1.166</b>	089-2012 (July 16/12)	RO	<b>*166</b>
6810 MAIN STREET WEST (FORMERLY 3074 MAIN STREET WEST), PART LOT 13, CONCESSION 1 (NS), TOWN OF MILTON, SCHEDULE A, FILE: D14 Z-12/10			
Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Office *166 (RO*166), the following standards and provisions shall apply:			
i) <b>Only Permitted Uses:</b>			
Apartment Buildings			
ii) <b>Zone Standards for Permitted Uses:</b>			
Maximum Lot Coverage: 32.0%			
Minimum Rear yard 2.5m			
Minimum Front Yard 10.0m			
Minimum Interior Side Yard (Northern) 1.4m			
Minimum Interior Side Yard (South) for Parking Ramp Enclosure 5.0m			
Minimum Landscape Open Space 30%			
Minimum Landscape Buffer abutting a Street Line 10.0m			
Maximum Building Height: 6 storeys to a max. of 23.0 m			
iii) <b>Special Site Provisions:</b>			
a. For the purposes of this By-law, the Whitmer Street frontage is deemed to be the front yard of the lot.			
b. <b>Fencing:</b>			
(i) Notwithstanding section 4.4.5 i) and ii), a fence located within a front yard shall have a maximum height of 1.2 m. The maximum fence height shall not apply to an entry feature.			
c. <b>Accessory Uses:</b>			
(i) Notwithstanding section 4.2.1:			

1. a Clubhouse is permitted in any yard in accordance with the setbacks for the principal use;
2. the maximum area of all Accessory Buildings and Structures is 600 m<sup>2</sup>; and,
3. the maximum height of a Clubhouse is 10.0 m.

(ii) Notwithstanding any provisions to the contrary, the lot coverage includes the Ground Floor Area of a Clubhouse.

(iii) Gazebo structures and entry features may be located within the minimum landscape buffer abutting a street line.

**d. Parking Provisions:**

- i. Notwithstanding the provisions in Table 5E, the parking requirement for an apartment building shall be 1.4 spaces per unit. Visitor parking shall be provided at a rate of 0.25 spaces per unit.
- ii. Parking shall not be required for an accessory clubhouse building.
- iii. A below grade parking structure shall be allowed to be setback 5.0 metres from the southerly interior lot line. All other setbacks shall be subject to the yard requirements for a principal building. A vent shaft may encroach 1.5 metres into a required yard and into a landscape buffer.
- iv. Notwithstanding Table 5L of Section 5 – Parking & Loading Provisions, the parking area is permitted to be setback 0.0 m from the limit of the rear lot line abutting the Open Space Zone.
- v. Notwithstanding any provisions, to the contrary, structural columns in an underground parking structure may encroach 0.22 m into a parking stall.
- vi. Notwithstanding Section 5.14 – Parking and Loading Provisions, the underground parking structure may encroach to within 3.0 m of a front lot line and 0.0 m of any other lot line and may encroach into a required landscape area.
- vii. Notwithstanding Section 5.12 (Table 5L) to the contrary, a garbage pickup pad may be located 1.0 m from the lot line other than the street line.
- viii. Notwithstanding Section 5.9 iv) to the contrary, the 2.2 m access sidewalk along the facade of a building may be reduced to 1.8m.

**e. Waste storage facilities:**

- i) Notwithstanding Section 4.14.1 Waste Storage Facilities, waste storage facilities, including recycling facilities, are permitted as an accessory use provided they are contained within the main building, but may be located in a common underground parking area.

13.1.1.167	108-2012 (Aug 13/12)	RMD2	*167
PART OF LOT 8, CONCESSION 2, N.S., (TRAFALGAR), MATTAMY (WILLMOTT) LIMITED, FILE Z-02/12 (24T-10001/M)			
<p>i) <u>Zone Standards for Apartments:</u></p> <ul style="list-style-type: none"> <li>a) Louis Saint Laurent Avenue shall be deemed the front lot line</li> <li>b) Minimum front yard setback - 3.0 metres</li> <li>c) Minimum rear yard setback - 10.0 metres</li> <li>d) Minimum interior side yard setback -4.5 metres</li> <li>e) Minimum Landscaped open space -20%</li> <li>f) Notwithstanding Section 5.12, Table 5L to the contrary, no part of any parking area (excluding ingress and egress points) shall be located closer than 5.0m to a street line.</li> <li>g) Notwithstanding Section 5.12, Table 5L to the contrary, no part of any parking area shall be located closer than 1.0m to any other lot line.</li> <li>h) Notwithstanding Section 5.12, Table 5L to the contrary, a parking area providing access to a ramp to underground parking may be located within 0.0m of an Exterior Side Lot Line.</li> <li>i) Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.0 m of a street line or lot line.</li> <li>j) Notwithstanding Section 5.14.3 to the contrary, no part of any wall or structure enclosing an entrance or exit ramp to an underground parking structure shall be located closer than 0.0 m from an exterior side lot line provided there is a minimum vehicle travel distance of 7.5 m from the top of the ramp to any point of ingress or egress from the property.</li> <li>k) Notwithstanding Section 5.8.1 Table 5E, the parking requirement for an apartment building shall be 1.3 spaces per dwelling unit plus 0.25 visitor parking spaces per dwelling unit.</li> <li>l) Notwithstanding Section 5.10.1 Location of Bicycle Parking Spaces, Subsection v) Bicycle Parking Spaces may be located adjacent to a building façade provided that the bicycle spaces do not obstruct any adjacent walkways or the entrance to the building.</li> </ul> <p>ii) <u>Zone Standards for Back to Back Townhouses fronting on a Private Street:</u></p> <ul style="list-style-type: none"> <li>a. The private road shall be deemed to be a front lot line or an exterior side lot line.</li> <li>b. Minimum Lot Frontage - Private street access: <ul style="list-style-type: none"> <li>Interior Unit - 6.0 m</li> <li>End Unit - 7.6 m</li> <li>End Corner Unit - 8.0 m</li> </ul> </li> <li>c. Minimum Lot Depth 13.5 m</li> <li>d. Minimum Front Yard 2.0 m</li> <li>e. Minimum Interior Side Yard 0.0 m</li> <li>f. Minimum Interior Side Yard (End Unit) 0.0 m one side, 1.2 m other side</li> </ul> <p>iii) <u>Special Site Provisions:</u></p> <ul style="list-style-type: none"> <li>a. Section 4.19.2 shall not apply.</li> <li>b. Section 5.6.2 iv) d) shall not apply.</li> <li>c. Section 5.6.2 v) i) shall not apply.</li> </ul>			

<b>13.1.1.168</b>	132-2013 OMB Order Mar. 31/14 (PL121161) & Oct. 16/14 (PL140294)	M2	<b>*168</b>
281 ALLIANCE ROAD (VICTORIA HILL), LOT 1 CONCESSION 3, FORMER TOWNSHIP OF ESQUESING, TOWN OF MILTON, SCHEDULE A, (FILE: D14-Z-17/11)			
<p><b>i) Additional Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) Waste Transfer Station; and,</li> <li>b) Waste Storage Facility</li> </ul> <p><b>ii) Special Site Provisions:</b></p> <ul style="list-style-type: none"> <li>a) For the purposes of this By-law, a waste transfer station means a premises where trucks or transports containing <i>waste</i> are temporarily stored, loaded or unloaded of which waste will only mean solid inorganic wastes consisting of mixed general waste and debris originating from industrial, commercial, institutional, construction and general demolition sources and shall not include <i>hazardous waste</i>, and/or organic, putrescible and/or domestic wastes.</li> <li>b) For the purposes of this By-law, a waste storage facility means an enclosed building or structure where waste is temporarily stored of which waste will only mean solid inorganic wastes consisting of mixed general waste and debris originating from industrial, commercial, institutional, construction and general demolition sources and does not include <i>hazardous waste</i>, and/or organic, putrescible and/or domestic wastes.</li> <li>c) Notwithstanding Section 5.8.2 ii). (Table 5G) of By-law 016-2014, as amended, to the contrary, the above noted permitted uses will be subject to the industrial parking requirements as <i>per</i> Table 5G.</li> <li>d) No outdoor storage of any waste associated with the waste transfer facility, waste storage facility or recycling facility is permitted on the subject property.</li> <li>e) Notwithstanding Section 5.10 of By-law 016-2014, as amended, to the contrary, bicycle parking will not be required for the waste transfer facility or waste storage facility.</li> <li>f) All loading bay doors must face the rear lot line and shall be a maximum of 50 metres from the rear lot line.</li> <li>g) Notwithstanding Section 4.8.2 of By-law 016-2014, as amended, 3.0 metre high solid board-on-board privacy fencing must be installed along the southern interior lot line (adjacent to 274 Alliance Road) and the northeastern interior side lot line (adjacent to 289 Alliance Road)</li> </ul>			

<ul style="list-style-type: none"> <li>h) Notwithstanding Section 5.11.1 of By-law 016-2014, as amended; loading spaces shall be permitted to be located within an enclosed building.</li> <li>i) A minimum of 8 truck stacking spaces must be provided on site with each truck stacking space being rectangular in shape, with a minimum width of 3.5 metres and a minimum length of 12.0 metres.</li> <li>j) All waste shall be received, processed, stored and transferred within the confines of the building at all times.</li> <li>k) All doors and windows must be closed at all times except for the minimal period of egress/ingress into and out of the building.</li> <li>l) The permitted hours of operation for a waste transfer station and/or waste storage facility shall be Monday to Friday 7:00 am to 7:00 pm and Saturdays 8:00 am to 4:00 pm. Closed on Sundays and holidays.</li> </ul>
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<b>13.1.1.169</b>	116 - 2012	OS	<b>*169</b>
6400 TREMAINE ROAD, PART LOTS 8 AND 9, CONCESSION 7, FORMER TOWNSHIP OF NELSON, TOWN OF MILTON, SCHEDULE A, (FILE: Z-06/12) - VELODROME			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.171</b>	60-2013 (June 24, 2013)	C2	<b>*171</b>
PART OF LOT 8, CONCESSION 2 NS (TRAFALGAR), PARTS 11 & 12 ON PLAN 20R-18710; SHERWOOD NORTH COMMERCIAL DEVELOPMENTS LIMITED (FILE Z-10-11)			
<ul style="list-style-type: none"> <li>i) For the purposes of this By-law, the lot line abutting Bronte Street shall be deemed the front lot line.</li> <li>ii) Special Zone Standards: <ul style="list-style-type: none"> <li>a) Maximum Lot Coverage: 31%</li> <li>b) Maximum Gross Floor Area (Individual Buildings): 9029 m<sup>2</sup></li> <li>c) Maximum Gross Floor Area (All Buildings Combined): 10 900 m<sup>2</sup></li> <li>d) Maximum Front Yard Setback: 15.5m</li> <li>e) Exterior Side Yard (Minimum): 3.9 m (Maximum): 30 m to Chuchmach Close 7.0 m to Louis St. Laurent Ave.</li> <li>f) Minimum Landscape Buffer (abutting a street line): <ul style="list-style-type: none"> <li>i) 2.4m abutting Chuchmach Close</li> <li>ii) 2.39 m abutting daylight triangle of Bronte Street and Louis St. Laurent</li> <li>iii) 3.94 m to Louis St. Laurent Avenue</li> <li>iv) 4.0 m to Bronte Street South</li> </ul> </li> <li>g) Decorative pergolas shall be permitted in the required landscape buffer abutting Louis St. Laurent Ave.</li> </ul> </li> </ul>			



	h) Footnote (*1) to Table 7D is not applicable
iii)	Notwithstanding Section 7.3.1 to the contrary, the minimum percentage of a ground floor wall facing a street that shall contain openings shall be 0% facing Chuchmach Close and 16% facing Bronte Street South for Buildings B,C,D (as shown on Schedule B attached hereto).
iv)	Notwithstanding Section 4.1.2.1 to the contrary, decorative pergolas shall be permitted in an exterior side yard and shall be permitted to be located 0 m from the exterior side lot line.
v)	Notwithstanding Section 4.1.2.4 iv) waste storage for a food store may be unrefrigerated but all garbage/recycling containers/compactors shall be contained within an enclosed building.
vi)	Notwithstanding Section 4.1.2.4 vi) no access driveway is required for the waste storage areas in Buildings E, F, G, and H (as shown on Schedule B attached hereto).
vii)	Notwithstanding Section 5.7 to the contrary, the 2.2 m setback required from a parking area to a building or structure shall not apply to decorative pergolas.
viii)	Notwithstanding Section 5.7 Table 5C to the contrary, parking areas shall be setback from a street line a minimum of 2.4m abutting Chuchmach Close and 4m abutting Bronte Street South
ix)	Notwithstanding Section 5.13.2 Table 5E, the parking requirement shall be 1 space per 24.5 m <sup>2</sup> of gross floor area.
x)	Notwithstanding Section 5.17.1 Table 5I, loading areas are not required for buildings E, F, G and H (as shown on Schedule B attached hereto).
xi)	Notwithstanding Section 5.17.3 iv), loading spaces shall be permitted within a building.
xii)	Section 5.17.5 shall not apply to loading spaces provided within an enclosed building.

13.1.1.172	068-2013 (July 15, 2013)	RO	*172
BLOCK 211, PLAN 20M-821, TOWN OF MILTON, FILE: Z-13/12			
<b>I. Permitted Uses:</b>			
Apartment Buildings with a maximum of 260 dwelling units			
<b>II. Zone Standards for Permitted Uses:</b>			
a.	Maximum building height (established grade to ridge)	4 storeys and 17.5 m	
b.	Maximum Lot Coverage:	32.0%	
c.	Minimum required Rear Yard	9.5 m	
d.	Minimum required setback abutting a street	4.0 m	
e.	Minimum width of Landscape Buffer abutting a Street Line		

4.0 m

- i) A below grade parking structure may encroach a maximum of 0.5 m into the required landscape. buffer abutting Main Street and Sinclair Boulevard.
- ii) Balconies and Exclusive Use Patios may encroach 1.5 m into a landscape buffer.

**III. Special General Provisions:**

**a. Fencing:**

- i) Notwithstanding any provisions to the contrary, a fence located within a yard abutting a street shall have a maximum height of 1.2 m.
- ii) Notwithstanding any provisions to the contrary, an entry feature may exceed the maximum fence height of 1.2 m.

**b. Accessory Uses:**

- (i)** Notwithstanding any provisions to the contrary, a Clubhouse is permitted in any yard in accordance with the setbacks for the principal use.
- (ii)** Notwithstanding any provisions to the contrary, the maximum area of all Accessory Buildings and Structures is 320 m<sup>2</sup>.
- (iii)** The maximum height of a Clubhouse is 8.0 m.
- (iv)** Notwithstanding any provisions to the contrary, the lot coverage includes the Ground Floor Area of a Clubhouse.
- (v)** Entry features may be located within the minimum landscape buffer abutting a street line.

**c. Landscaped Open Space and Landscape Buffers:**

- i) Notwithstanding Section 4.11.3, a 7.5 m landscape buffer parallel to the Greenlands A zone is not required.

**d. Special Setbacks:**

- i) Section 4.18.4 shall not apply where a 7.5 metre setback has been included in the Greenlands A zone.

**e. Parking Provisions:**

- i) Notwithstanding the provisions in Table 5D, the parking requirement for an apartment building shall be 1.35 spaces per unit. Visitor parking shall be provided at a rate of 0.25 spaces per unit.
- ii) Parking shall not be required for an accessory clubhouse building.
- iii) A below grade parking structure shall be setback a minimum of 3.5 m from all lot lines abutting a street and a minimum of 6.0 m abutting all other lot lines.

- iv) Notwithstanding Section 5.16.2, accessible parking spaces located in a below grade parking structure shall not be subject to the minimum vertical clearance of 3.0 metres.
- v) Notwithstanding any provisions, to the contrary, structural columns in an underground parking structure may encroach 0.22 m into a parking stall.
- f. Waste storage facilities:
  - i) Notwithstanding Section 4.1.1.11 Waste Storage Facilities, waste storage facilities including recycling facilities are permitted as an accessory use provided they are contained within the main building, but may be located in a common underground parking area.

<b>13.1.1.173</b>	90-2013 (Aug 12, 2013)	C3	<b>*173</b>
PART OF LOT 12, CONCESSION 5, N.S.,(TRAFALGAR), MATTAMY (BROWNRIDGE) LIMITED, FILE Z-08/12 (24T-12001/M)			
<ul style="list-style-type: none"> <li>i) <u>Additional Permitted Uses:</u> <ul style="list-style-type: none"> <li>a. Motor vehicle gas bar</li> <li>b. Motor vehicle washing establishment</li> </ul> </li> <li>ii) <u>Special Zone Standards:</u> <ul style="list-style-type: none"> <li>a. Maximum lot area – 8525m<sup>2</sup></li> <li>b. Maximum Gross Floor Area – 2325m<sup>2</sup> (all buildings combined)</li> <li>c. Maximum Gross Floor Area – 1500m<sup>2</sup> (individual buildings)</li> <li>d. Maximum Front Yard Setback – 20m</li> <li>e. Maximum Exterior Side Yard Setback – 10m</li> <li>f. Notwithstanding the setback provisions for buildings, fuel pump islands and weather canopies must be setback a minimum of 7.5m from any lot line</li> <li>g. Notwithstanding Section 5.15.4, queuing lanes and order boxes shall be located no closer than 4.5m from any street line.</li> </ul> </li> <li>iii) <u>Special Site Provisions:</u> <ul style="list-style-type: none"> <li>a. In addition to uses permitted in the Local Commercial C3*Special-Holding 1 (C3*173-H1) Zone, RMD1*150-H1 uses in accordance with the provisions of Section 13.1.1.150 shall be permitted.</li> </ul> </li> </ul>			

<b>13.1.1.174</b>	104-2013 (Sept 23, 2013)	OS	<b>*174</b>
PART OF LOT 1, CONCESSION 2, GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON, SCHEDULE A, FILE Z-11/10			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.175</b>	105-2013 (Sept 23, 2013)	EMP-2	<b>*175</b>
390 ONTARIO STREET NORTH AND LEGALLY DESCRIBED AS PART OF LOT 1, PLAN 355. , SHOEBAKNTREE HOLDINGS INC., FILE Z-02/13			
<p><b>Additional Permitted Use:</b> Financial Institution</p> <p><b>Definition:</b> “Financial Institution” means a privately owned and operated business specializing in cheque cashing, money orders, tax refunds and the exchange of funds.</p> <p>For the purposes of this By-law, the zone standards of the Employment (EMP) Zone contained in Section 8.2 (Table 8B) shall apply.</p>			

<b>13.1.1.176</b>	110-2013 (Oct 28, 2013)	RO	<b>*176</b>
PART OF LOT 10, CONCESSION 2, FILE; Z- 10/12			
<p>i) Notwithstanding the list of permitted uses in Section 6.1 – Table 6A to the contrary, the following additional uses shall be permitted:</p> <p style="padding-left: 40px;">Commercial School – Trade/Profession Commercial School – Skill Day Care Centre Dry Cleaning Depot (Ground Floor Only) Health/Medical Retail Use (Ground Floor Only) Optical Retail Outlet (Ground Floor Only) Veterinary Clinic – Small Animal</p> <p style="padding-left: 40px;">Special Site Provisions</p> <p>ii) Health/Medical Retail use shall only be located on the ground floor and shall be restricted to 25% of the total gross floor area of the building; however, no individual health/medical retail use shall exceed a total gross floor area of 348 square metres.</p> <p>iii) Optical Retail Outlet use shall only be located on the ground floor and shall be restricted to 25% of the total gross floor area of the building.</p>			

- iv) Notwithstanding the provisions of Section 6.2 – Table 6F to the contrary, the minimum front yard shall be 3.7 metres.
- v) Notwithstanding the provisions of Section 6.2 - Table 6F to the contrary, the minimum landscaped area shall be 12%.
- vi) Notwithstanding the provisions of Section 5.13.2 – Table 5E to the contrary, a minimum of 151 parking spaces shall be required.
- vii) Notwithstanding Section 5.17 -Table 5I to the contrary, a minimum of one loading space shall be required.
- viii) Notwithstanding Section 5.7 -Table 5C to the contrary, parking areas shall be set back a minimum of 4.5 metres from the streetline of Derry Road and a minimum of 5.6 metres from Farmstead Drive.
- ix) Notwithstanding Section 5.7 -Table 5C to the contrary, parking areas shall be set back a minimum of 2.9 metres from the southern lot line and a minimum of 0.6 metres along the western lot line.
- x) Waste storage facilities shall be subject to the provisions of Section 4.1.2.4.
- xi) Notwithstanding Section 4.1.2.4 -Table 4C to the contrary, the maximum floor area of a Detached Accessory Waste Storage Building shall be 18 square metres.
- xii) Patios associated with a restaurant shall be subject to the provisions of Section 4.1.2.8.3

For the purposes of this by-law, a Health/Medical Retail Use is defined as:

**HEALTH/MEDICAL RETAIL USE**

Means a *premises* in which persons are employed in providing services and/or products to customers to meet specific health and fitness needs. Such services and/or products may include, but not be limited to, medical supplies, vitamins and health supplements, hearing aids and other medically related aids (walkers, wheelchairs, orthotics etc). and physiotherapy/exercise equipment.

For the purposes of this by-law, an optical retail outlet use is defined as:

**OPTICAL RETAIL OUTLET USE**

Means a *premises* in which a regulated health practitioner designs, fits and dispenses lenses for the correction of a person’s vision and includes the retail sale of optical goods including but not limited to prescription and non-prescription eyewear, sunglasses, contact lenses and similar visual aids.

<b>13.1.1.177</b>	111-2013 (Oct 28, 2013)	A1	<b>*177</b>
PART OF LOTS 8, 9 & 10, CONCESSION 9, NS, FORMER TOWNSHIP OF TRAFALGAR (UNION GAS COMPRESSOR STATION), FILE: Z-01/13			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.178</b>	111-2013 (Oct 28, 2013)	OS	<b>*178</b>
PART OF LOTS 8, 9 & 10, CONCESSION 9, NS, FORMER TOWNSHIP OF TRAFALGAR (UNION GAS COMPRESSOR STATION), FILE: Z-01/13			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.179</b>	111-2013 (Oct 28, 2013)	GB	<b>*179</b>
PART OF LOTS 8, 9 & 10, CONCESSION 9, NS, FORMER TOWNSHIP OF TRAFALGAR (UNION GAS COMPRESSOR STATION), FILE: Z-01/13			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

<b>13.1.1.192</b>	23-2014 (February 24, 2014), 117-2014 (Dec. 15, 2014)	RMD1	<b>*192</b>
PART OF LOTS 8 AND 9, CONCESSION III, N.S., (TRAFALGAR), MATTAMY (BROWNRIDGE) LIMITED, PHASE 17 FILES Z-01/05 & Z-04/07 (24T-05001/M & 24T-07004/M)			
<p>i) <u>Special Zone Standards:</u></p> <p><b>Single Detached Dwelling - Street Access Interior</b></p> <p>Minimum <i>lot frontage</i> – 9.15 metres</p> <p><b>Single Detached Dwelling-Street Access Corner</b></p> <p>An attached garage may be located no closer than 0.6m from the <i>rear lot line</i>, if the garage is accessed by a <i>residential driveway</i> crossing the <i>exterior side lot line</i>.</p> <p>Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of 2 local <i>public streets</i>, no part of any <i>residential driveway</i> shall be located closer than 4.7 metres from the point of intersection of the two local <i>street lines</i>.</p>			

Notwithstanding Section 4.2.2.1 iii), to the contrary, on a corner lot at the intersection of 2 local *public streets*, the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.

ii) Special Residential Provisions:

**Street Front Treatment of Street Access Interior Single Detached Dwellings**

The *dwelling* shall have a minimum *dwelling face*, which may include the *porch/veranda*, of 3.3 metres provided that no more than 60% of the *building face* is used for the garage portion of the elevation.

In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 m provided the dwelling face or porch/veranda is even with or projects beyond the garage face.

Where a garage door faces the *interior side lot line* or the wall of the garage nearest the *front lot line* and the wall of the garage nearest the *exterior side lot line* shall be considered *dwelling face*.

**Street Front Treatment of Street Access Corner Single Detached Dwellings**

The *dwelling* shall have a minimum *dwelling face*, which may include the *porch/veranda*, of 3.3 metres provided that no more than 62% of the *building face* is used for the garage portion of the elevation.

Notwithstanding Section 6.3.1.1 v) a), to the contrary, the garage portion of the elevation may project beyond the *dwelling face* or *porch/veranda* portion of the elevation.

In the case of a staggered double car garage, the *dwelling* shall have a minimum *dwelling face*, which may include a *porch/veranda*, of 2.5 metres.

In the case of a staggered double car garage on lots having frontage greater than 9 metres and less than or equal to 11.5 metres the residential driveway shall not exceed 6.5 metres.

Where a garage door faces the *interior side lot line* or the *rear lot line* the wall of the garage nearest the *front lot line* and the wall of the garage nearest the *exterior side lot line* shall be considered *dwelling face*.

**Special General Rules for Attached Garages**

In the case of a staggered double car garage, one garage is permitted to have a minimum *setback* of 2.0 metres to the *front lot line* providing that the second garage has a minimum *setback* of 5.5 metres to the *front lot line*.

Where a garage door faces an *interior side lot line* the garage door and the wall of the garage nearest to the *front lot line* shall have a minimum *setback* of 2.0 metres.

#### **Air conditioners and Heat Pumps**

Notwithstanding the provisions of Section 4.6.1, Table 4E to the contrary, on a *corner lot*, where an attached garage is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling* unit and the attached garage, however such units are not permitted to encroach into the *exterior side yard*.

#### **Porches/Verandas**

Notwithstanding to the contrary the provisions of Section 4.19.5 i), Table 4H,, *Porches/Verandas* are permitted to encroach into the required *interior side yard*, but at no time shall they be located closer than 0.9 metres to the *interior side lot line*.

#### **Landings**

A landing shall have a maximum width of 3.0 metres along the rear *dwelling* face and a maximum depth of 1.5 metres.

#### **Fencing**

In addition to the provisions of Section 4.8, on a *corner lot*, where an attached or detached garage is accessed over the *exterior side lot line*, fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the *yard* bounded by the *dwelling* unit, the *exterior side lot line* and the *residential driveway*.

#### **Visual Clearance at Driveways**

Notwithstanding any provision of this By-law to the contrary: On any *lot* where a *residential driveway* enters a *street*, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the *street line*, the *residential driveway* edge and the line connecting them at points 1.0 from their intersection.

#### **Special Setbacks – Natural Gas Distribution System**

Notwithstanding any provision of this By-law to the contrary: No building or structure shall be located any closer than 13 metres to any natural gas transmission pipeline, or any natural gas facility or equipment operated as part of a natural gas transmission system.

#### **Lane Based Single Detached and Townhouse Dwellings**

Frontage on a *street*.



Notwithstanding the provisions of Section 4.19.1 to the contrary, a *building or structure* with access to a *public lane* shall be deemed to conform to the requirements of Section 4.19.1, and further that *Front Lot Line* shall mean the following:

Front Lot Line:

Notwithstanding the definition of *front lot line* in Section 3, where a *lot* does not have *frontage* on a *public street* the *lot line* abutting an OS Zone shall be deemed to be the *front lot line*.

#### **Lane Based Single Detached Dwellings**

Single Detached Dwelling - Lane Access Interior Unit

Minimum *Lot Depth* - 18.0 m

Minimum required *rear yard* to attached garage - 0.6 m

Single Detached Dwelling - Lane Access Corner Unit

Minimum *Lot Depth* - 18.0 m

Minimum required *rear yard* to attached garage - 0.6 m

#### **Lane Based Townhouse Dwellings**

Townhouse Dwelling - Lane Access Interior Unit

Minimum *Lot Depth* - 18.0m

Minimum required *rear yard* to attached garage - 0.6 m

Townhouse Dwelling - Lane Access End Unit

Minimum *Lot Depth* - 18.0 m

Minimum required *rear yard* to attached garage - 0.6 m

Townhouse Dwelling - Lane Access End Corner Unit

Minimum *Lot Depth* - 18.0 m

Minimum required *rear yard* to attached garage - 0.6 m

<b>13.1.1.193</b>	23-2014 (February 24, 2014), 117-2014 (Dec. 15, 2014)	RMD1	<b>*193</b>
PART OF LOTS 8 AND 9, CONCESSION III, N.S., (TRAFALGAR), MATTAMY (BROWNRIDGE) LIMITED, PHASE 17 FILES Z-01/05 & Z-04/07 (24T-05001/M & 24T-07004/M)			
<p>i) <u>Special Zone Standards for Single Detached/Semi- Detached Dwellings – Street Access Interior:</u></p> <p>a. Minimum lot depth – 19 m</p> <p>b. Minimum rear yard setback – 5 m</p>			

<b>13.1.1.195</b>	035-2014 (Mar. 31/14) 093-2015 (Nov 23/15)	I-A	<b>*195</b>
PART OF LOT 8, CONCESSION 2, N.S., (TRAFALGAR), TOWN OF MILTON (MATTAMY (WILLMOTT) LIMITED) FILE Z-07/13; PART OF LOTS 7 and 8, CONCESSION II, N.S., (TRAFALGAR), MATTAMY (WILLMOTT) LIMITED, (TOWN FILE: FILE Z-13/14)			
<p><b>i. Additional Permitted Uses</b></p> <p>a) In addition to the uses permitted in Minor Institutional (I-A) Zone, RMD1 uses in accordance with the provisions of Table 6C, and RMD2 uses in accordance with Table 6D shall be permitted.</p> <p><b>ii. Zone Standards</b></p> <p>a) Maximum building height for Elementary School: 12.6 m</p>			

<b>13.1.1.196</b>	055-2015 (May 26/14)	RMD2	<b>*196</b>
BLOCK 55, REGISTERED PLAN 20M-1115, FILE - Z- 04/13 & 24T-13001 (YORK TRAFALGAR)			
<p><b>i. Special Zone Standards:</b></p> <p>a) Minimum required rear yard setback for an end or corner unit of a street access townhouse, abutting Block 56, R.P. 20M-1115, shall be 6.0 m.</p> <p>b) Minimum required lot depth for a street access townhouse, abutting Block 56, R.P. 20M-1115, shall be 23.25 metres.</p> <p>c) Minimum required rear yard setback for a two storey townhouse, abutting Block 56, R.P 20M-1115, shall be 6.0 metres.</p> <p>d) Minimum required lot frontage for an end unit of a street access townhouse on an irregular shaped (pie shaped) lot shall be 4.3 metres measured at the minimum required building setback of the lot.</p> <p>e) Minimum required rear yard setback for a two storey townhouse fronting on McLaughlin Street shall be 6.0 metres.</p>			

<b>13.1.1.203</b>		A2	<b>*203</b>
OAKRIDGE FARMS			
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISIONS</b>			

13.1.1.204	098-2014 (Sept. 29/14)	M1	*204
380 BRONTE STREET NORTH (MILTOWNE AUTO)			
<p><b>i. Additional Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) Motor Vehicle Repair Garage</li> <li>b) Motor Vehicle Dealership</li> <li>c) Motor Vehicle Washing Establishment</li> </ul> <p><b>ii. Excluded Uses:</b></p> <ul style="list-style-type: none"> <li>a) Day Care Centre</li> <li>b) Convention Centre</li> <li>c) Funeral Home</li> <li>d) Hotel</li> <li>e) Place of Worship</li> <li>f) Place of Assembly</li> </ul> <p><b>iii. Special Site Provisions:</b></p> <ul style="list-style-type: none"> <li>a) Notwithstanding Section 8.2 (Table 8B) of By-law 016-2014, as amended, to the contrary, the minimum required lot frontage shall be 25 metres.</li> <li>b) Notwithstanding Section 8.2 (Table 8B) of By-law 016-2014, as amended, to the contrary, the minimum lot area shall be 0.46 ha.</li> <li>c) Notwithstanding Section 8.2 (Table 8B) of By-law 016-2014, as amended to the contrary, the minimum required front yard shall be 8.0 metres.</li> <li>d) Notwithstanding Section 8.2 (Table 8B) of By-law 016-2014, as amended, to the contrary, a minimum landscape buffer of 2.5 metres is permitted north of the driveway access.</li> <li>e) Notwithstanding Section 5.12 (Table 5L) of By-law 016-2014, to the contrary, parking areas may be set back 2.5 metres along the street line of Bronte Street north of the driveway access only and loading spaces may be setback 0.0 metres from the western interior lot line.</li> <li>f) Notwithstanding Section 4.22.3 i) of By-law 016-2014, to the contrary, a minimum 3.0 metre setback from the railway right-of-way is permitted for the following uses: motor vehicle repair garage, motor vehicle washing establishment, motor vehicle dealership, industrial use, warehouse/distribution centre. All other uses permitted by this By-law must be located in a building set back a minimum of 15.0 metres from the railway right-of-way.</li> <li>g) Notwithstanding Section 5.11.1 ii) of By-law 016-2014, as amended, loading spaces may be set back 18 metres from the street line (Bronte Street).</li> </ul>			

<b>13.1.1.205</b>	OMB Order Oct. 16/14 (PL140294)	UGC-MU-2	<b>*205</b>
820 Nipissing Road (MIN Developments)			
<p>Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall only apply to the subject lands provided the existing building having a gross floor area of 1685 m<sup>2</sup> is not altered in any way that would result in a change in gross floor area.</p> <p><b>i) Only Permitted Uses</b></p> <ul style="list-style-type: none"> <li>a) <i>Art Gallery</i></li> <li>b) Artist's Studio</li> <li>c) Commercial School - Skill</li> <li>d) Convenience Store</li> <li>e) Dry Cleaning Depot</li> <li>f) Fitness Centre</li> <li>g) Food Bank</li> <li>h) Laundromat</li> <li>i) Office Use</li> <li>j) Office Building</li> <li>k) Personal Service Shop</li> <li>l) Recreation and Athletic Facility</li> <li>m) Restaurant, Take Out (No seating permitted)</li> <li>n) Retail Store 1 (Maximum total GFA of 475 m<sup>2</sup>)</li> <li>o) Social Services Establishment</li> <li>p) Veterinary Clinic – Small Animal</li> <li>q) Veterinary Clinic – Large Animal</li> </ul> <p><b>ii) Zone Standards</b></p> <ul style="list-style-type: none"> <li>a) <i>Landscaped Open Space:</i> <ul style="list-style-type: none"> <li>i) % of Lot Area (minimum): 8%</li> <li>ii) <i>Landscaped Buffer</i> (Minimum) Abutting a Residential Zone: 3.0 m</li> </ul> </li> </ul> <p><b>iii) Special Site Provisions</b></p> <ul style="list-style-type: none"> <li>a) Parking: a minimum of 30 parking spaces shall be provided on site.</li> <li>b) Parking areas must be setback from a building 1.5 metres at the front, 1.5 metres on the east side of the building and, 1.2 metres at the rear of the building.</li> <li>c) The minimum width of the adjacent aisle for the perpendicular accessible parking and for the angled spaces accessed by the one-way aisles at the front of the building shall be a minimum of 3.8 metres.</li> <li>d) Accessible parking spaces shall have direct access to entrances of the building by a minimum 1.8 metre wide access route or sidewalk.</li> <li>e) Waste storage shall be permitted outside of the principal building or detached accessory building or structure provided it is contained within a secure dumpster, restricted to the area immediately adjacent to the rear wall of the building in such a manner that it is fully screened from the street by the building and is located outside of any required parking spaces.</li> <li>f) The parking area shall be setback a minimum of 1.0 metre from the detached accessory waste storage structure.</li> </ul>			

g)	Minimum setbacks to the waste storage structure: Interior side yard (minimum): 1.5 metres Rear yard (minimum): 3.0 metres
h)	Lot Coverage (maximum): 42% (existing building only)

<b>13.1.1.206</b>	OMB Order Oct. 16/14 (PL140294)	C6	<b>*206</b>
8750 Regional Road No. 25 (Giangrande)			
<b>i) Additional Permitted Uses</b> <ul style="list-style-type: none"> <li>a) Place of Entertainment</li> <li>b) Motor Vehicle Dealership</li> </ul>			

<b>13.1.1.207</b>	028-2015 093-2015 020-2016	RMD1	<b>*207</b>
PART OF LOT 6, CONCESSION 2, N.S., (TRAFALGAR), MATTAMY (MILTON WEST) LIMITED, FILE Z-04/14 (24T-14002M); and, PART OF LOTS 7 and 8, CONCESSION II, N.S., (TRAFALGAR), MATTAMY (WILLMOTT) LIMITED, (TOWN FILE: FILE Z-13/14); and, PART OF LOTS 7 AND 8, CONCESSION II, N.S., (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MATTAMY (WILLMOTT) LIMITED (TOWN FILE: Z-13/14-A)			
<p>i) <u>Special Zone Standards:</u></p> <p><b>Single Detached Dwelling - Street Access Interior</b></p> <p>Minimum lot frontage – 9.15 metres</p> <p><b>Single Detached Dwelling-Street Access Corner</b></p> <p>An attached garage may be located no closer than 0.6m from the rear lot line, if the garage is accessed by a residential driveway crossing the exterior side lot line.</p> <p>Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of 2 local public streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two local street lines.</p> <p>Notwithstanding Section 4.2.2.1 iii), to the contrary, on a corner lot at the intersection of 2 local public streets, the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.</p> <p>ii) <u>Special Residential Provisions:</u></p> <p><b>Street Front Treatment of Street Access Interior Single Detached Dwellings</b></p>			

The dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.

In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres provided the porch/veranda is located within 1.83 metres of the garage face.

Where a garage door faces the interior side lot line, the wall of the garage nearest the front lot line shall be considered dwelling face.

#### **Street Front Treatment of Street Access Corner Single Detached Dwellings**

The dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.

Notwithstanding Section 6.3.1.1 v), to the contrary, the garage portion of the elevation may project beyond the dwelling face or porch/veranda portion of the elevation.

In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres.

In the case of a staggered double car garage on lots having frontage greater than 9 metres and less than or equal to 11.5 metres the residential driveway shall not exceed 6.5 metres.

Where a garage door faces the interior side lot line or the rear lot line the wall of the garage nearest the front lot line and the wall of the garage nearest the exterior side lot line shall be considered dwelling face.

#### **Special General Rules for Attached Garages**

In the case of a staggered double car garage, one garage is permitted to have a minimum setback of 2.0 metres to the front lot line provided that the second garage has a minimum setback of 5.5 metres to the front lot line.

Where a garage door faces an interior side lot line the garage door and the wall of the garage nearest to the front lot line shall have a minimum setback of 2.0 metres

#### **Air conditioners and Heat Pumps**

Notwithstanding the provisions of Section 4.6.1 to the contrary, on a corner lot, where an attached garage is accessed over the exterior side lot line, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.

#### **Porches/Verandas**

Notwithstanding the provisions of Section 4.19.5 i), Table 4H, Porches/Verandas are permitted to encroach into the required interior side yard, but at no time shall they be located closer than 0.9 metres to the interior side lot line.

### **Landings**

A landing shall have a maximum width of 3.0 metres along the rear dwelling face and a maximum depth of 1.5 metres.

### **Fencing**

In addition to the provisions of Section 4.8, on a corner lot, where an attached or detached garage is accessed over the exterior side lot line, fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line and the residential driveway.

### **Visual Clearance at Driveways**

Notwithstanding any provision of this By-law to the contrary: On any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 from their intersection.

### **Lane Based Single Detached and Townhouse Dwellings**

Frontage on a street:

Notwithstanding the provisions of Section 4.19 to the contrary, a building or structure with access to a public lane shall be deemed to conform to the requirements of Section 4.19, and further that Front Lot Line shall mean the following:

Front Lot Line:

Notwithstanding the definition of front lot line in Section 3, where a lot does not have frontage on a public street the lot line abutting an OS Zone shall be deemed to be the front lot line.

### **Lane Based Single Detached Dwellings**

Single Detached Dwelling - Lane Access Interior Unit

Minimum Lot Depth - 18.0m

Minimum required rear yard to attached garage 0.6m

Single Detached Dwelling - Lane Access Corner Unit

Minimum Lot Depth - 18.0m

Minimum required rear yard to attached garage 0.6m

### **Lane Based Townhouse Dwellings**

Townhouse Dwelling - Lane Access Interior Unit

<p>Minimum Lot Depth - 18.0m Minimum required rear yard to attached garage - 0.6m</p> <p>Townhouse Dwelling - Lane Access End Unit</p> <p>Minimum Lot Depth - 18.0m Minimum required rear yard to attached garage - 0.6m</p> <p>Townhouse Dwelling - Lane Access End Corner Unit</p> <p>Minimum Lot Depth - 18.0m Minimum required rear yard to attached garage - 0.6m</p> <p><b>Street Based Townhouse Dwellings</b></p> <p>Townhouse Dwelling - End Corner Unit</p> <p>Minimum exterior side yard setback to building if the yard abuts a public right-of-way of less than 18.0m wide- 2.0m</p>
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<b>13.1.1.208</b>	028-2015	RMD1	<b>*208</b>
PART OF LOT 6, CONCESSION 2, N.S., (TRAFALGAR), MATTAMY (MILTON WEST) LIMITED, FILE Z-04/14 (24T-14002M)			
<p>i) <u>Special Zone Standards:</u></p> <p><b>Single Detached Dwelling - Street Access Interior</b></p> <p>Minimum lot frontage – 9.15 metres</p> <p><b>Single Detached Dwelling-Street Access Corner</b></p> <p>An attached garage may be located no closer than 0.6m from the rear lot line, if the garage is accessed by a residential driveway crossing the exterior side lot line.</p> <p>Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of 2 local public streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two local street lines.</p> <p>Notwithstanding Section 4.2.2.1 iii), to the contrary, on a corner lot at the intersection of 2 local public streets, the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.</p> <p>ii) <u>Special Residential Provisions:</u></p> <p><b>Street Front Treatment of Street Access Interior Single Detached Dwellings</b></p>			



The dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.

In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres provided the porch/veranda is located within 1.83 metres of the garage face.

Where a garage door faces the interior side lot line, the wall of the garage nearest the front lot line shall be considered dwelling face.

#### **Street Front Treatment of Street Access Corner Single Detached Dwellings**

The dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.

Notwithstanding Section 6.3.1.1 v), to the contrary, the garage portion of the elevation may project beyond the dwelling face or porch/veranda portion of the elevation.

In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres.

In the case of a staggered double car garage on lots having frontage greater than 9 metres and less than or equal to 11.5 metres the residential driveway shall not exceed 6.5 metres.

Where a garage door faces the interior side lot line or the rear lot line the wall of the garage nearest the front lot line and the wall of the garage nearest the exterior side lot line shall be considered dwelling face.

#### **Special General Rules for Attached Garages**

In the case of a staggered double car garage, one garage is permitted to have a minimum setback of 2.0 metres to the front lot line provided that the second garage has a minimum setback of 5.5 metres to the front lot line.

Where a garage door faces an interior side lot line the garage door and the wall of the garage nearest to the front lot line shall have a minimum setback of 2.0 metres

#### **Air conditioners and Heat Pumps**

Notwithstanding the provisions of Section 4.6.1 to the contrary, on a corner lot, where an attached garage is accessed over the exterior side lot line, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.

#### **Porches/Verandas**

Notwithstanding the provisions of Section 4.19.5 i), Table 4H, Porches/Verandas are permitted to encroach into the required interior side yard, but at no time shall they be located closer than 0.9 metres to the interior side lot line.

### **Landings**

A landing shall have a maximum width of 3.0 metres along the rear dwelling face and a maximum depth of 1.5 metres.

### **Fencing**

In addition to the provisions of Section 4.8, on a corner lot, where an attached or detached garage is accessed over the exterior side lot line, fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line and the residential driveway.

### **Visual Clearance at Driveways**

Notwithstanding any provision of this By-law to the contrary: On any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 from their intersection.

### **Lane Based Single Detached and Townhouse Dwellings**

Frontage on a street:

Notwithstanding the provisions of Section 4.19 to the contrary, a building or structure with access to a public lane shall be deemed to conform to the requirements of Section 4.19, and further that Front Lot Line shall mean the following:

Front Lot Line:

Notwithstanding the definition of front lot line in Section 3, where a lot does not have frontage on a public street the lot line abutting an OS Zone shall be deemed to be the front lot line.

### **Lane Based Single Detached Dwellings**

Single Detached Dwelling - Lane Access Interior Unit

Minimum Lot Depth - 18.0m

Minimum required rear yard to attached garage 0.6m

Single Detached Dwelling - Lane Access Corner Unit

Minimum Lot Depth - 18.0m

Minimum required rear yard to attached garage 0.6m

### **Lane Based Townhouse Dwellings**

<p>Townhouse Dwelling - Lane Access Interior Unit</p> <p>Minimum Lot Depth - 18.0m Minimum required rear yard to attached garage - 0.6m</p> <p>Townhouse Dwelling - Lane Access End Unit</p> <p>Minimum Lot Depth - 18.0m Minimum required rear yard to attached garage - 0.6m</p> <p>Townhouse Dwelling - Lane Access End Corner Unit</p> <p>Minimum Lot Depth - 18.0m Minimum required rear yard to attached garage - 0.6m</p> <p><b>Street Based Townhouse Dwellings</b></p> <p>Townhouse Dwelling - End Corner Unit</p> <p>Minimum exterior side yard setback to building if the yard abuts a public right-of-way of less than 18.0m wide- 2.0m</p> <p>iii) <u>Special Residential Provisions:</u></p> <p>In addition to the uses permitted in the Residential Medium Density 1 (RMD1) zone, OS-2 uses in accordance with the provisions of Table 11A shall be permitted</p>
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13.1.1.209	028-2015 093-2015	RMD1	*209
PART OF LOT 6, CONCESSION 2, N.S., (TRAFALGAR), MATTAMY (MILTON WEST) LIMITED, FILE Z-04/14 (24T-14002M); PART OF LOTS 7 and 8, CONCESSION II, N.S., (TRAFALGAR), MATTAMY (WILLMOTT) LIMITED, (TOWN FILE: FILE Z-13/14)			
<p>i) <u>Zone Standards for Back to Back Townhouse Dwellings - Street Access:</u></p> <p>a) Minimum front yard setback to building - 2.0m</p> <p>b) Porches/Verandas and balconies are permitted within 1.0m of the property line.</p> <p>c) Minimum exterior yard setback to building if the yard abuts a right-of-way of less than 18.0m wide- 2.0m</p>			

13.1.1.210	043-2015	UGC-MU	*210
716 MAIN STREET EAST (KNOWN LEGALLY AS PART LOT 13, CONCESSION 3 NS (TRAFALGAR), PART 1, 20R-9214, TOWN OF MILTON), FILE Z-02/14			
<p>i) For the purposes of this By-law a Guest Unit means</p> <p>A Guest Unit is a room within the apartment building that is not connected to any individual apartment, but which includes bedroom and bathroom space that can be used by visitors to the apartment building as overnight temporary accommodation and it shall not include a kitchen. A Guest Unit does not constitute an apartment and shall not require separate parking provision.</p> <p>ii) Notwithstanding the provisions of Section 7 of Comprehensive By-law 016-2014, as amended, to the contrary:</p> <ul style="list-style-type: none"> <li>a) The minimum lot frontage shall be 24 metres.</li> <li>b) The maximum front yard setback shall be 36 metres.</li> <li>c) The fifth storey shall be set back by a minimum of 0.0 metres from the building wall facing the street line.</li> <li>d) An area of land that is a minimum of 5 metres wide and traverses the property in the rear yard a minimum of 3 metres from the rear property line shall be retained as landscaped open space and/or sidewalk with landscape open space for future public use as a trail.</li> <li>e) A hard-surfaced walkway, with a minimum unobstructed width of 1.8 metres shall be provided at the rear of the property that connects the future trail area to the drive aisle in the parking area.</li> </ul> <p>iii) Notwithstanding the provisions of Section 5 of Comprehensive By-law 016-2014, as amended, to the contrary:</p> <ul style="list-style-type: none"> <li>a) The minimum length of tandem angled parking spaces or angled parking spaces with open drive aisle space at either end shall be 5.8 metres.</li> <li>b) A minimum of 1.0 space per apartment for residents and 0.13 spaces per apartment for visitors.</li> <li>c) Accessible parking spaces may be located at the rear of the building.</li> <li>d) The accessible parking spaces that are required by this by-law may be distributed within the residential parking component, the visitor parking component, or a combination thereof, provided that a minimum of one Type A accessible space is retained within the visitor parking component located within the front yard.</li> <li>e) One loading space shall be provided that is a minimum of 3.5 metres by 12 metres and which has a minimum vertical clearance of 4.2 metres.</li> <li>f) Parking areas shall be set back from a street line by a minimum of 0.5 metres and from all other lot lines by a minimum of 0.8 metres.</li> <li>g) The minimum 2.2 metres setback required from a parking area to a building or structure may be reduced to 0.75 metres provided a minimum 2.2 metres unobstructed access route is provided between the support column and the building face in areas that will be accessed by the public.</li> <li>h) The loading space shall be set back from the building by a minimum of 2.2 metres and by a minimum of 1.3 metres to any support columns.</li> </ul>			

i) A minimum of 0.5 bicycle parking spaces shall be provided for each apartment. Bicycle parking can be provided in either a parking rack that is securely anchored to the ground or in a bicycle locker inside the building.

<b>13.1.1.211</b>	053-2015	RMD1	<b>*211</b>
PART OF LOT 10, CONCESSION 5 (TRAFALGAR) TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON - SOUTHPLEX LANDS INC (FILE Z07/14)			
<p>i) <u>Zone Standards</u></p> <p>Detached Dwelling</p> <p>a) Minimum Required Rear Yard for the lot with the existing Heritage Dwelling - 4.3 m.</p> <p>ii) <u>Special Site Provisions</u></p> <p>a) Section 6.3.1.1 ii) shall not apply</p>			

<b>13.1.1.212</b>	053-2015	RLD	<b>*212</b>
PART OF LOT 10, CONCESSION 5 (TRAFALGAR) TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON - SOUTHPLEX LANDS INC (FILE Z07/14)			
<p>i) <u>Zone Standards</u></p> <p>Detached Dwelling</p> <p>a) Minimum Required Rear Yard – 3.5 m</p>			

<b>13.1.1.213</b>	053-2015	RMD1	<b>*213</b>
PART OF LOT 10, CONCESSION 5 (TRAFALGAR) TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON - SOUTHPLEX LANDS INC (FILE Z07/14)			
<p>i) <u>Zone Standards</u></p> <p>Townhouses - Street Access:</p> <p>a) Minimum Required Rear Yard - 6.0 m</p> <p>Townhouse - Street Access End Unit:</p> <p>a) Minimum Required Lot Frontage on an Irregular Shaped Lot - 5.45 m</p> <p>b) Minimum Required Lot Depth - 23.75 m</p> <p>Townhouse - Street Access Interior Unit:</p> <p>a) Minimum Required Lot Frontage - 6.0 m</p> <p>ii) <u>Special Site Provisions</u></p> <p>a) Notwithstanding Sections 6.3.1.3. iv) to 6.3.1.3. vi), only the following shall apply: Townhouses - Street Access - minimum dwelling face - 2.0 m</p>			

13.1.1.214	053-2015	RMD1	*214
PART OF LOT 10, CONCESSION 5 (TRAFALGAR) TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON - SOUTHPLEX LANDS INC (FILE Z07/14)			
<p>i) <u>Zone Standards</u></p> <p>Townhouses - Street Access:</p> <p>a) Minimum Required Rear Yard - 6.0 m</p> <p>Townhouse - Street Access Interior Unit:</p> <p>a) Minimum Lot Frontage - 6.0 m</p> <p>Townhouse - Street Access End Corner Unit:</p> <p>a) Minimum Required Exterior Side Yard Setback - 1.2 m</p> <p>ii) <u>Special Site Provisions</u></p> <p>a) Notwithstanding the definition of Rear Lot line in Section 3, for the purposes of this special provision Fourth Line is deemed to be the Rear Lot Line.</p> <p>b) Notwithstanding Section 5.6.2. iii), no parking space on a corner lot shall be located closer than 3.0 m measured from the point of intersection of the two street lines.</p> <p>c) Notwithstanding Section 5.6.2. iv), support walls or columns may project out 1.25 m from the garage face into the required driveway width provided the encroachment does not exceed 0.35 m wide and a minimum clear driveway width of 2.75 m is maintained in the area of the encroachment.</p> <p>d) Notwithstanding Section 5.6.2. iv), the maximum driveway width for a corner lot having a frontage greater than 8.0 m shall be 5.5 m.</p> <p>e) Notwithstanding Sections 6.3.1.3. iv) to 6.3.1.3. vi), only the following shall apply: Townhouses - Street Access - minimum dwelling face - 2.0 m</p>			

13.1.1.215	071-2015	C5	*215
PART OF LOT 7 & 8, REGISTERED PLAN 364 TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON – BELL BROTHERS LTD. (FILE Z-02/15)			
<p>i) Additional Permitted Uses:</p> <p>Bank Fitness Centre Medical Clinic Office Use Personal Service Shop Veterinary Clinic – Small Animal</p> <p>ii) Special Zone Standards:</p> <p>a) Notwithstanding Section 7.2 (Table 7D) to the contrary, the following zone provisions shall apply:</p>			

<ul style="list-style-type: none"> <li>i) Minimum Lot Frontage: 48.0 m</li> <li>ii) Minimum Landscape Buffer Abutting Steeles Avenue: 0.0m</li> <li>iii) Minimum Landscape Buffer Abutting Residential Zone:                         <ul style="list-style-type: none"> <li>- adjacent to the interior side lot line: 2.8m</li> <li>- adjacent to the rear lot line: 2.93m</li> </ul> </li> <li>iv) Minimum Rear Yard Setback Abutting Residential Zone: 2.93m</li> </ul> <p>iii) Parking Provisions:</p> <ul style="list-style-type: none"> <li>a) Notwithstanding Section 5.12 (Table 5L) to the contrary, the minimum parking area setback abutting Steeles Avenue shall be 0.0 m.</li> <li>b) Notwithstanding Section 5.8.2 (Table 5G) to the contrary, the following parking requirements shall apply:                         <ul style="list-style-type: none"> <li>- 1 parking space/ 20 sq m of Gross Floor Area for additional permitted uses only;</li> </ul> </li> </ul>
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<b>13.1.1.217</b>	074-2015	C3	<b>*217</b>
<p>BLOCK 394, REGISTERED PLAN 20M-1082, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON – TOWN OF MILTON. (FILE Z-10/16)</p>			
<p>Local Commercial *Special Section (C3*217) Zone</p> <ul style="list-style-type: none"> <li>i) Only Permitted Uses:                     <ul style="list-style-type: none"> <li>Artist’s Studio</li> <li>Commercial School –Skill</li> <li>Elementary School</li> <li>Day Care Centre</li> <li>Office Use</li> <li>Office Building</li> <li>Personal Service Shop</li> <li>Hospice</li> <li>Medical Clinic</li> <li>Veterinary Clinic – Small Animal</li> </ul> </li> <li>ii) Special Zone Standards:                     <ul style="list-style-type: none"> <li>a) For the purposes of this by-law, a Hospice is defined as a <i>premises</i> providing palliative care or respite to resident patients.</li> <li>b) For the purposes of administering the Zoning By-law, Parts 1, 2, and 3 on RP 20R-20159 shall constitute the Lot and the southern lot line shall be deemed the Front Lot Line.</li> <li>c) Notwithstanding Section 4.19.1 to the contrary, a lot with driveway access to a public street shall be deemed to conform to the requirements of Section 4.19.1 with respect to the lot having frontage on a public street.</li> </ul> </li> </ul>			

<ul style="list-style-type: none"> <li>d) Parts 4, 5, 6, and 7 on RP 20R-20159 shall be used for no other purpose than providing driveway access to the lot with the exception of municipal trail use.</li> <li>e) Lot Area (maximum): 8100 m<sup>2</sup></li> <li>f) Front Yard Setback (maximum): No Maximum</li> <li>g) Rear Yard Setback (minimum): 4 m</li> <li>h) Interior Side Yard (minimum): 3 m</li> <li>i) Maximum Gross Floor Area For All Buildings Combined: 2506 m<sup>2</sup></li> <li>j) Maximum GFA permitted for a single building: 2,000 m<sup>2</sup></li> <li>k) Minimum Landscape Buffer Abutting a Street Line: Not Applicable</li> <li>l) Notwithstanding Section 4.2.3 i) Table 4B to the contrary, accessory buildings and structures shall be permitted within a front yard</li> <li>m) Notwithstanding Section 5.8.2 to the contrary, a total of 109 parking spaces shall be provided on the subject lands.</li> <li>n) Notwithstanding Section 5.11.1 (Table 5K) to the contrary, the loading area for the heritage house shall be a maximum of 21 m from the building.</li> <li>o) Notwithstanding Section 5.12 (Table 5L) to the contrary, parking areas shall be set back a minimum of 0.45 m from a lot line.</li> </ul>
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<b>13.1.1.218</b>	094-2015	RMD1	<b>*218</b>
PART OF LOT 6, CONCESSION 1 (TRAFALGAR), TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON - BRANTHAVEN CAIVAN INC. (TOWN FILE: Z-10/14)			
<p>For lands zoned Residential Medium Density I*218 (RMD1*218) the following standards and provisions also apply:</p> <ul style="list-style-type: none"> <li>i) Zone Standards: <ul style="list-style-type: none"> <li>Detached Dwelling</li> <li>a) Minimum required rear yard for the lot that includes the Andrew Suiter Farmhouse – 3.5 m</li> <li>b) Minimum required interior side yard – 8m</li> <li>c) Minimum required exterior side yard – 5m</li> <li>d) Minimum required front yard set-back – 4m</li> <li>e) Maximum height to ridge – height above grade of the ridge of the Andrew Suiter Farmhouse</li> </ul> </li> <li>ii) Special Site Provisions <ul style="list-style-type: none"> <li>Air Conditioning and Heat Exchange Units</li> </ul> </li> </ul>			



<p>a) Notwithstanding Section 4.6.1 to the contrary, air conditioning and heat exchange units are permitted within the interior side yard unit provided the unit is located behind the rear stone wall of the Andrew Suiter Farmhouse.</p> <p>b) Notwithstanding Section 4.6.1 to the contrary, air conditioning and heat exchange units are permitted within that portion of the yard between the rear stone wall of the Andrew Suiter Farmhouse and the garage, however, such units are not permitted to encroach into the exterior side yard.</p> <p>Fencing</p> <p>c) Notwithstanding Section 4.8.1:</p> <p>(i) The maximum height of any fence within the exterior side yard shall be 1.0m.</p> <p>(ii) Any fence located between the dwelling unit and the rear lot line shall be set back by a minimum of 0.5m from the garage face.</p> <p>(iii) The maximum height of any fence within the interior side yard between the rear stone wall of the heritage house and the front lot line shall be 1.0m.</p>
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<b>13.1.1.219</b>	094-2015	RMD1	<b>*219</b>
PART OF LOT 6, CONCESSION 1 (TRAFALGAR), TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON - BRANTHAVEN CAIVAN INC. (TOWN FILE: Z-10/14)			
For lands zoned Residential Medium Density II*BBB (RMD2*219) the following provisions also apply:			
p) Special Zone Standards:			
a) Notwithstanding Table 6D, the minimum lot frontage for an interior street-access townhouse dwelling unit shall be 6.1 metres.			
b) Notwithstanding Table 6D, the minimum lot frontage for an end street-access townhouse dwelling unit shall be 7.5 metres.			
c) Notwithstanding Table 6D, the minimum lot frontage for a corner street-access townhouse dwelling unit shall be 8.0 metres.			

<b>13.1.1.220</b>	109-2015	RMD1	<b>*220</b>
PART OF LOTS 7 AND 8, CONCESSION 2 (TRAFALGAR) TOWN OF MILTON, GULFBECK DEVELOPMENTS INC. (TOWN FILES: Z-11-14 AND 24T-14008/M)			
For lands zoned Residential Medium Density I*220 (RMD1*220) the following provisions also apply:			
i) Special Zone Standards:			
a) Notwithstanding Table 6C, Footnote *2 shall be applied to Townhouse Dwellings;			

- b) Notwithstanding Section 5.6.2 (iii), to the contrary, for corner lots at the intersection of two local public streets, both with a 16 metre right-of-way or less, no part of any residential driveway shall be located closer than 5 m from the point of intersection of the two local street lines;
- c) For the purposes of this By-Law, the provisions of Section 3 Definitions shall apply with the following changes: “Lot Frontage” shall be the distance measured along the front lot line between the side lot lines where the side lot lines are parallel. In cases where the side lot lines are not parallel, the distance is measured from a point on each side lot line that is 3.0 m setback from the front lot line or the hypothetical intersection of the front lot line and the side lot line.”
- d) Notwithstanding Table 4H, chimneys may project a maximum distance of 0.46 m into the required rear, exterior side or interior side yard setback subject to provision ii to Table 4H;
- e) Notwithstanding the minimum driveway width in Section 5.6.2 iv) a), a 0.4 m x 0.4 m supporting pillar may encroach into the driveway a maximum of 0.2 m, provided the minimum driveway width is 2.95 m at the encroachment.
- f) Rear Yard Setback (minimum): 7.0 metres save and except those units shown on Schedule B attached hereto.

<b>13.1.1.221</b>	109-2015	RMD2	<b>*221</b>
PART OF LOTS 7 AND 8, CONCESSION 2 (TRAFALGAR) TOWN OF MILTON, GULFBECK DEVELOPMENTS INC. (TOWN FILES: Z-11-14 AND 24T-14008/M)			
For lands zoned Residential Medium Density II*221 (RMD2*221) the following standards and provisions also apply:			
a) Special Zone Standards:			
a) Notwithstanding Table 6D, Footnote *2 shall be applied to Back-To-Back Townhouse Dwellings;			
b) Notwithstanding Section 5.6.2 (iii), to the contrary, for corner lots at the intersection of two local public streets, both with a 16 metre right-of-way or less, no part of any residential driveway shall be located closer than 5 m from the point of intersection of the two local street lines;			
c) For the purposes of this By-Law, the provisions of Section 3 Definitions shall apply with the following changes: “Lot Frontage” shall be the distance measured along the front lot line between the side lot lines where the side lot lines are parallel. In cases where the side lot lines are not parallel, the distance is measured from a point on each side lot line that is 3.0 m setback from the front lot line or the hypothetical intersection of the front lot line and the side lot line.”			
d) Notwithstanding the minimum driveway width in Section 5.6.2 iv) a), a 0.4 m x 0.4 m supporting pillar may encroach into the driveway a maximum of 0.2 m, provided the			

minimum driveway width is 2.95 m at the encroachment.

13.1.1.222	119-2015	RMD1	*222
PART OF LOT 6, CONCESSION 2 (TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MAIN SAIL ESTATES INC. (TOWN FILE: Z-09/14)			
<p>Notwithstanding any provisions of the By-Law to the contrary, for lands zoned Residential Medium Density I *222 (RMD1*222) the following standards and provisions also apply:</p> <p>i) Special Zone Standards:</p> <ul style="list-style-type: none"> <li>a) For a through lot, the front lot line shall be the lot line abutting the collector road and the provisions for lane access townhouses and lane access detached garages shall apply;</li> <li>b) Notwithstanding that the provisions for lane access townhouse apply, the minimum required lot frontage is 6.4 m;</li> <li>c) Minimum required lot depth for an interior, end or corner lane access unit is 30.5 m;</li> <li>d) Maximum driveway width for Interior, End and Corner units is 5.7 m;</li> <li>e) Minimum rear yard setback for a lane access townhouse with a detached garage is 13.0 m;</li> <li>f) Notwithstanding Section 4.2.2.2 (i) (e) to the contrary, the maximum gross floor area permitted for a detached garage is 40.0 sq.m.;</li> <li>g) Notwithstanding Table 6C, Footnote #2 is applicable to the exterior side yard setback for a corner townhouse unit;</li> <li>h) For a detached garage accessed over a rear lot line, the minimum setback to a rear lot line is 0.0 m where abutting a public street with a 16.0 m right-of-way and provided there is no sidewalk in the boulevard of the public street directly abutting the garage. A 1.0 m setback to the rear lot line shall apply if a sidewalk is required in the boulevard of the public street directly abutting the garage;</li> <li>i) For the purposes of this By-Law, the definition of “Bay and Boxed Window” means a multi-sided window that projects outwards from an exterior wall of a building, which may or may not have a foundation, and which may or may not include a sliding door, and which may or may not have windows at the side projection(s).</li> </ul>			

13.1.1.223	119-2015	RMD1	*223
PART OF LOT 6, CONCESSION 2 (TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MAIN SAIL ESTATES INC. (TOWN FILE: Z-09/14)			

Notwithstanding any provisions of the By-Law to the contrary, for lands zoned Residential Medium Density I \*223 (RMD1\*223) the following standards and provisions also apply:

- i) Special Zone Standards:
  - a) For the purposes of this By-Law, the definition of “Bay and Boxed Window” means a multi-sided window that projects outwards from an exterior wall of a building, which may or may not have a foundation, and which may or may not include a sliding door, and which may or may not have windows at the side projection(s);
  - b) Notwithstanding Table 6C, Footnote #2 is applicable to the exterior side yard setback for a corner townhouse unit

<b>13.1.1.224</b>	119-2015	C3	<b>*224</b>
PART OF LOT 6, CONCESSION 2 (TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MAIN SAIL ESTATES INC. (TOWN FILE: Z-09/14)			
For lands zoned Local Commercial*224 (C3*224) the following standards and provisions also apply:			
i) Special Zone Standards:			
<ul style="list-style-type: none"> <li>a) Notwithstanding Table 7D, the maximum lot area shall be 4,200 sq.m. (0.42 ha); and</li> <li>b) A drive-through service facility shall not be permitted.</li> </ul>			

<b>13.1.1.225</b>	099-2015	UGC-MU	<b>*225</b>
1050 MAIN STREET EAST, PART OF LOT 13, CONCESSION 4 (NEW SURVEY) FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGION OF HALTON (FILE: Z-04/15)			
a) Only the following uses are permitted on the ground floor of a building(s):			
<ul style="list-style-type: none"> <li>i) Ancillary Residential Uses, as defined in this by-law</li> <li>ii) Bank (*1)</li> <li>iii) Convenience store (*2)</li> <li>iv) Dry cleaning depot (*1)</li> <li>v) Fitness Centre (*2)</li> <li>vi) Medical Clinic (*1)</li> <li>vii) Personal service shop (*1)</li> <li>viii) Restaurant (*2)</li> <li>ix) Retail Store (*2)</li> <li>x) Day Care Centre (*1) (where provided through a bonussing agreement as per Section D.27 of this by-law)</li> <li>xi) Social Services Establishment</li> <li>xii) Parking area within an above grade parking structure that forms part of the main building</li> </ul>			

(\*1) Maximum permitted gross floor area: 200 m<sup>2</sup> per premises

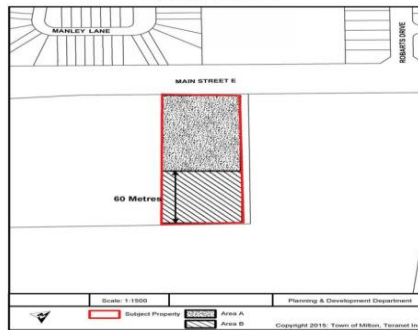
(\*2) Maximum permitted gross floor area: 500 m<sup>2</sup> per premises

- b) The following uses are only permitted on the second storey and above of the building(s):
- i) Dwelling, Retirement
  - ii) Apartment Building
  - iii) Office Use
  - iv) Ancillary Residential Uses, as defined in this by-law
  - v) Parking area within an above grade parking structure that forms part of the main building
  - vi) Social Services Establishment
- c) The following uses are not permitted on lands zoned UGC-MU\*225-H19:
- i) Drive-through facilities either stand-alone or ancillary to another permitted use,
  - ii) Uses listed in 3.0 A) and 3.0 B) as a stand-alone use or building.
  - iii) Residential dwelling units on the ground floor of a building.
- d) Special Site Provisions:
- 1. A minimum gross floor area of 500 m<sup>2</sup> of any combination of uses listed in 3.0 A) ii) through and including xi) is required.
  - 2. Principal entrances to residential lobbies and pedestrian pathways are required to face a municipal street or private driveway.
  - 3. At least one principal pedestrian entrance is required for each retail and commercial use provided on the ground floor, to be oriented to a municipal street or on-site private driveway.
  - 4. Front yard setback: Minimum 2 metres  
Maximum 5 metres
  - 5. Below grade setbacks: Minimum 0.0 metres
  - 6. Side yard setback: Minimum 3 metres to western property limit, Minimum 0.0 metres to eastern property limit  
Maximum 6 metres to western property limit, Maximum 5 metres to eastern property limit
  - 7. Rear yard setback: Minimum 5 metres  
Maximum 7 metres
  - 8. Building Height:
    - a) First Storey (measured from top-of-slab to top-of-slab): Minimum 4.5 metres
    - b) Minimum total building height : 19.5 metres (6 storeys)
    - c) Maximum total building height: 29 metres (8 storeys)
    - d) Maximum total bonussed building height in Area "B" as illustrated in Figure 1 attached to and forming part of this by-law : 43 metres (12 storeys)
  - 9. Required setback from a building's main wall above a height of 16.5 metres: Minimum 3 metres, maximum 6 metres

10. A minimum of 90% of the length of all main walls oriented toward the front lot line shall be located within the area on the lot defined by the minimum and maximum front yards.
11. No less than 40% of the gross area of the main wall on the first storey facing a street shall be the site of openings (i.e. windows and doors). This provision applies to the area measured from grade to a height of 4.5 metres.
12. Parking ratio for Apartment Building: A minimum of 1 parking space per dwelling unit, plus 0.25 parking spaces for visitor parking in a designated visitor parking area.
13. Parking ratio for Dwelling, Retirement: A minimum of 0.5 parking spaces per dwelling unit, inclusive of visitor parking.
14. Parking ratio for those uses as listed in Section 3.0 A) ii) through and including xi):  
A minimum of 1 parking space per 30m<sup>2</sup> of gross floor area.
15. Surface Parking Area at Grade: Shall occupy no more than 20% of the total area of the site.
16. Visitor parking associated with a residential use, and client parking associated with a commercial and/or office use, may be provided in any combination of a parking structure and a surface parking area and may be used for any combination of residential, commercial, and office uses.
17. Above grade parking is not permitted within the first 9.0 metres of the depth of the building measured in from the lot line adjacent to a public road, and the first 4.5 metres of height of the building measured from the top of the floor of the first level to the top of the floor of the second level within that depth.
18. A driveway directly accessing a parking area is not permitted to cross a front lot line, and is not permitted in a front yard.
19. No part of a parking area or above grade parking structure is permitted within a front yard.
20. Any awning, canopy and/or similar weather shielding structure, and any restaurant patio, may project to any lot line.
21. Loading and servicing areas shall not face a public street, and must be screened from the public street, with vehicular access to these areas internal to the site.
22. Waste storage areas shall be located within the principal building.
23. Transformer and telecommunications vaults shall be located within the principal building.
24. Stairs and air vents associated with an underground or above ground parking structure are permitted in all yards, with the exception of the front yard, and are permitted a 0.0 m setback to a side or rear lot line.

25. Notwithstanding Section 5.1 ix) of By-law 016-2014, a required loading space may be provided in a building.
26. Notwithstanding Section 4.19.5 Table 4H of By-law 016-2014, a balcony is permitted in any yard, but may not encroach into a required yard.
27. Zoning by-law compliance for building height above 8 storeys in Area 'B' as illustrated on Figure 1, is dependent upon compliance with the terms of this by-law and the terms of an agreement under Section 37 of the Planning Act, R.S.O. 1990, c. P.17, providing community benefits in the form of one or more of the following:
  - a) discounted units for affordable housing;
  - b) discounted space for Social Services Establishments;
  - c) discounted space for a day care centre use;
  - d) local transit improvements;
  - e) an urban square, as defined in this by-law, including public art;
  - f) monetary or other contributions to the Town for the purposes of eligible community benefits identified in the Town's Official Plan.

FIGURE 1



For the purposes of this by-law, the following definitions shall apply:

*Ancillary Residential Uses* include those uses which are supplementary to a residential Apartment Building or Dwelling, Retirement including the common indoor areas located within a building which are intended primarily for access, dining, or recreational purposes for the occupants of a building and includes stairs, lobbies, elevators, mail room, mechanical facilities, storage, and facilities for a concierge.

A *mixed-use building* is a building wherein several permitted land uses are accommodated in a stratified arrangement and share common facilities such as corridors, stairwells entrances, and parking. *Main Wall*: The primary exterior front, rear or side wall of a building, exclusive of permitted projections and indentations.

*Main Wall*: The primary exterior front, rear or side wall of a building, exclusive of permitted projections and indentations.

*Urban Square*: is a publicly-accessible, mainly outdoor, hardscaped open space of at least 300 m<sup>2</sup> in area, located at established grade. Other elements such as vegetation, public art and seating may be included in the urban square's design.

<b>13.1.1.226</b>	020-2016	RMD2	<b>*226</b>
PART OF LOTS 7 AND 8, CONCESSION II, N.S., (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MATTAMY (WILLMOTT) LIMITED (TOWN FILE: FILE Z-13/14-A)			
<p>i) <u>Zone Standards for Back to Back Townhouse Dwellings – Street Access:</u></p> <ul style="list-style-type: none"> <li>a) Minimum front yard setback to building - 2.0m</li> <li>b) Porches/Verandas and balconies are permitted within 1.0m of the property line.</li> <li>c) Minimum exterior yard setback to building if the yard abuts a right-of-way of less than 18.0m wide - 2.0m</li> <li>d) Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of 2 local public streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two local street lines.</li> <li>e) Notwithstanding Section 4.2.2.1 iii), to the contrary, on a corner lot at the intersection of 2 local public streets, the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.</li> </ul>			

<b>13.1.1.228</b>	025-2016	RMD2	<b>*228</b>
PART OF LOT 11, CONCESSION 4, NS AND BLOCKS 24, 25, 26, 27, 28 AND 29 ON PLAN 20M-1030 (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MATTAMY (WILLMOTT) LIMITED (TOWN FILE: FILE Z-13/14-A)			
<p>(i) Zone Standards for Back to Back Townhouse Dwellings – Street Access:</p> <ul style="list-style-type: none"> <li>a. Minimum front yard setback to building - 2.0m</li> <li>b. Porches/Verandas and balconies are permitted within 1.0m of the property line.</li> <li>c. Minimum exterior yard setback to building if the yard abuts a right-of-way of less than 18.0m wide- 2.0m</li> <li>d. Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of 2 local public streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two local street lines.</li> <li>e. Notwithstanding Section 4.2.2.1 iii), to the contrary, on a corner lot at the intersection of 2 local public streets, the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.</li> </ul>			

<b>13.1.1.229</b>	040-2016	M1	<b>*229</b>
PART OF LOT 1, CONCESSION 4, FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON, MUNICIPALLY IDENTIFIED AS 785 STEELES AVENUE EAST, – 1810996 ONTARIO INC. (TOWN FILE: Z-11/15)			
<p>i) Additional Permitted Uses:</p> <ul style="list-style-type: none"> <li>Motor vehicle dealership</li> <li>Motor vehicle repair garage</li> </ul> <p>ii) Special Zone Standards:</p>			



- a. Lot Frontage (minimum): 38 m
- b. Lot Area (minimum): 0.37 ha
- c. The minimum width of a one-way drive aisle adjacent to the westerly side lot line shall be 4.0 m.
- d. The minimum width of a landscape buffer abutting Steeles Avenue East shall be 3 m.
- e. The minimum setback of a parking/driveway area to the easterly side lot line shall be 1.0 m.
- f. The minimum setback of a parking/driveway area to the rear and westerly side lot lines shall be 1.5 m.
- g. The minimum setback of a parking/driveway area adjacent to the side or rear walls of a building shall be 1.5m identified by hatched pavement markings except for the area adjacent to the service bay doors.

<b>13.1.1.230</b>	028-2016	RMD2	<b>*230</b>
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PART OF LOT 7, CONCESSION 2 (TRAFALGAR), TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (691548 ONTARIO INC.) TOWN FILE: Z-14-14

1) Special Zone Standards:

- a. Notwithstanding Table 6D, Footnote \*2 shall be applied to Back-To-Back Townhouse Dwellings;
- b. Notwithstanding Section 5.6.2 (iii), to the contrary, for corner lots at the intersection of two local public streets, both with a 16 metre right-of-way or less, no part of any residential driveway shall be located closer than 5 m from the point of intersection of the two local street lines;
- c. For the purposes of this By-Law, the provisions of Section 3 Definitions shall apply with the following changes: "Lot Frontage" shall be the distance measured along the front lot line between the side lot lines where the side lot lines are parallel. In cases where the side lot lines are not parallel, the distance is measured from a point on each side lot line that is 3.0 m setback from the front lot line or the hypothetical intersection of the front lot line and the side lot line."
- d. Notwithstanding the minimum driveway width in Section 5.6.2 iv) a), a 0.4 m x 0.4 m supporting pillar may encroach into the driveway a maximum of 0.2 m, provided the minimum driveway width is 2.85 m at the encroachment.

<b>13.1.1.231</b>	041-2016	C3	<b>*231</b>
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BLOCK 306, R.P. 20M-773, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY IDENTIFIED AS 10180 DERRY RD - DURLAND PROPERTIES INC. (FILE: Z-14/15)

(i) Prohibited Uses:

Notwithstanding Section 7.1, drive-through service facilities are prohibited on this site.

(ii) Additional Permitted Uses:

The following institutional uses will be permitted on this site, in addition to local commercial uses not prohibited by Section 2(i) of this by-law amendment:

<ul style="list-style-type: none"> <li>- Elementary school at a maximum gross floor area of 406 square metres within the existing building.</li> </ul> <p>(iii) Special Zone Standards:</p> <p><b>Landscaped Open Space</b> Notwithstanding Section 7.2 (Table 7D), the minimum landscape buffer abutting a residential zone shall be 2.0 metres.</p> <p><b>Setbacks</b> Notwithstanding Section 7.2 (Table 7D), the maximum yard setback of 5.0m shall not apply for any yard abutting a street.</p> <p><b>Parking</b> Notwithstanding Section 5.8.2 (Table 5F), the minimum off-street parking requirement shall be 1 space per 22 sq. m. of gross floor area for all Local Commercial (C3) uses.</p> <p>Notwithstanding Section 5.12 (Table 5L), the minimum parking area setback from a building shall be 2.0 m for existing and proposed parking spaces.</p> <p>Notwithstanding Section 5.11 i) a loading area is not required.</p> <p>Notwithstanding Section 5.9, iv), accessible parking spaces shall be located in proximity to the primary entrance(s) to a building and shall have direct access to the entrance(s) by a minimum of 2.0 m wide unobstructed sidewalk access route.</p>
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<b>13.1.1.232</b>	049-2016	M1	<b>*232</b>
PART OF LOT 5, CONCESSION 1, (FORMER TOWNSHIP OF ESQUESING), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - E. MANSON INVESTMENTS LIMITED (FILE: Z-11/11)			
<p>(i) Additional Permitted Uses:</p> <ul style="list-style-type: none"> <li>a. Bank</li> <li>b. Motor vehicle washing establishment</li> <li>c. Service and Repair Shop</li> <li>d. Drive through service facility only associated with a bank and/or motor vehicle washing establishment</li> </ul> <p>(ii) Special Site Provisions: A servicing and overland flow block for the associated stormwater management pond can be located within a site-specific Business Park (M1*232) Zone and is not required to meet the provisions of the M1 Zone.</p>			

<b>13.1.1.233</b>	065-2016	EMP-2	<b>*233</b>
LOT 12 AND PART OF LOT 13, REGISTERED PLAN 20M-451, AND PARTS 7-10, REFERENCE PLAN 20R-20357, GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON (TOWN			

FILE: Z-03/16).
<p>i) Additional Permitted Uses:</p> <ul style="list-style-type: none"> <li>a. Motor Vehicle Dealership</li> <li>b. Motor Vehicle Rental Agency (only permitted as accessory to a Motor Vehicle Dealership)</li> </ul> <p>ii) Special Zone Standards:</p> <ul style="list-style-type: none"> <li>a. Minimum Interior Side Yard Setback (southern): 0.0 metres</li> <li>b. Minimum Parking Area Setback From Streetline (Lawson Road): 3.0 metres</li> <li>c. Minimum Landscape Buffer Abutting a Streetline (Lawson Road): 3.0 metres.</li> </ul>

13.1.1.234	085-2016	RHD	*234
PARTS 165 AND 166, PLAN 20R-19394, BEING PART OF BLOCK 213, REGISTERED PLAN 20M-821, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (FIRST MILTON CORP. (TOWN FILE: Z-01/16)			
<ul style="list-style-type: none"> <li>i. Notwithstanding Section 6.1 Permitted Uses, Table 6A, Multiple Dwellings is permitted at a minimum density of 100 units per net hectare and provided that a minimum of 80% of parking spaces are within a parking structure.</li> <li>ii. Notwithstanding any provisions to the contrary, balconies for multiple dwellings are permitted in all yards with a maximum encroachment of 1.5 metres into a required yard.</li> <li>iii. Notwithstanding any provisions to the contrary, porches / verandas shall encroach no closer than 1.0 m to a rear lot line.</li> <li>iv. Notwithstanding any provisions to the contrary, stairs above grade accessing a principal building may be permitted to encroach to a minimum setback of 0.0 m from a street line.</li> <li>v. Notwithstanding the provisions in Section 4.8 to the contrary, a fence or wall to screen a parking garage ramp and/or a garbage/loading space shall be no higher than 2.6 metres and a fence or wall in the front, exterior side, interior side, or rear yard shall be no higher than 1.0 m.</li> <li>vi. Notwithstanding the requirements in Table 5D, the minimum off-street parking requirement for a multiple dwelling in a common parking area is as follows: <ul style="list-style-type: none"> <li>• 1.25 spaces per dwelling unit,</li> <li>• and 0.25 spaces per dwelling unit for visitor parking</li> </ul> </li> <li>vii. Notwithstanding the requirements in Section 5.9 iv) to contrary, accessible parking spaces shall have direct access to the entrance(s) by a minimum 1.5 m wide unobstructed sidewalk or access route.</li> <li>viii. Notwithstanding the requirements in Table 5I, Section 5.10 i), for a multiple dwelling, the minimum number of bicycle parking in one or more common bicycle parking areas within an underground parking garage shall be 0.3 spaces per dwelling unit and Section 5.10 ii) and vi) shall not apply.</li> </ul>			

<p>ix. Notwithstanding the requirements in Table 5L, Section 5.12, the minimum setback of a common parking area to the streetline of Hampshire Way is 6.0 metre.</p> <p>x. Section 5.13 iv) shall not apply to the abutting RMD2*158.</p> <p>xi. Notwithstanding the provisions of Section 5.14.1, a parking structure may encroach no closer than 0.5 metre to a street line.</p> <p>xii. The minimum setback of a ramp accessing an underground parking structure to a building is 0.0 metre.</p> <p>xiii. The minimum setback of a loading space to a building is 0.0 metre provided that there are no doors exiting onto the loading space.</p> <p>xiv. The maximum encroachment of a column in an underground parking garage is 0.1 metre into a parking space.</p> <p>xv. Special Site Provisions:</p> <p>For the purposes of this by-law, the Main Street frontage is deemed to be the front yard of the lot.</p> <p>Notwithstanding the provisions in Section 6.2, Table 6E, the following provisions shall apply to multiple dwelling units:</p> <ul style="list-style-type: none"> <li>• Lot Coverage (maximum) 42.5%</li> <li>• Front Yard Setback (minimum) 3.8 m</li> <li>• Interior Side Yard Setback (minimum) 16.5 m</li> <li>• Exterior Side Yard Setback (minimum) 2.7 m</li> <li>• Rear Yard Setback (minimum) 3.4 m</li> <li>• Separation between Residential Buildings (minimum) 8.0 m</li> <li>• Height to peak of roof (maximum) 14.8 m</li> <li>• Common Amenity Area per dwelling unit (minimum) 6 m<sup>2</sup></li> <li>• Landscaped Open Space (minimum)</li> </ul>
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13.1.1.235	094-2016	RMD2	*235
PART OF LOTS 8 AND 9, CONCESSION 1, FORMER GEORGRAPHIC SURVEY OF TRAFALAGR AND FURTHER DESCRIBED AS PART 1 ON PLAN 20R-19430 AND PARTS 7, 10, 19 AND 20 ON PLAN 20R-19352 TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (WILLMOTT) LIMITED) - FILE Z-08/16			
<p>(i) Zone Standards for Townhouse Uses – Private Rear Lane Access:</p> <ul style="list-style-type: none"> <li>a) Bronte Street South shall be deemed the front lot line.</li> <li>b) Minimum lot depth - 18.5m</li> <li>c) Minimum rear yard setback - 0.6m</li> </ul> <p>(ii) Zone Standards for Back to Back Townhouse Uses – Street Access:</p>			

<ul style="list-style-type: none"> <li>a) The private street shall be deemed to be a front lot line or an exterior side lot line.</li> <li>b) Minimum lot depth – 13.2m</li> <li>c) Minimum front yard setback to building - 2.0m</li> <li>d) Minimum exterior yard setback to building if the yard abuts a right of way less than 18 metres wide – 2.0m</li> <li>e) Porches/Verandas and balconies are permitted within 1.0m of the property line.</li> <li>f) Balcony: Means a platform that may be partially enclosed projecting from the main wall of a building which may not be supported by vertical uprights other than the wall itself except when located above a porch/veranda, patio or exclusive use driveway and which is only accessible from within the building.</li> <li>g) Notwithstanding Section 5.6.2iii), to the contrary, for corner lots at the intersection of 2 private streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two local street lines.</li> <li>h) Notwithstanding Section 4.2.2.1 iii), to the contrary, on a corner lot at the intersection of 2 private streets, the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.</li> </ul> <p>(iii) Special Site Provisions</p> <ul style="list-style-type: none"> <li>a) Notwithstanding Section 5.8.1, Table 5E, the visitor parking requirement shall be 0.23 spaces per unit.</li> <li>b) Minimum setback of a parking area to a street line - 0m</li> <li>c) Minimum setback of a parking area to a lot line - 0m</li> <li>d) Porches/Verandas – notwithstanding the provisions of Section 4.19.5 i), Table 4H, Porches/Verandas are permitted to encroach into the required interior side yard for end units, but at no time shall they be located closer than 0.9 metres to the interior side lot line.</li> <li>e) Landings – A landing shall have a maximum width of 3.0 metres along the rear dwelling face and a maximum depth of 1.5 metres</li> </ul>
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13.1.1.236	033-2017	RO	*236
PART OF BLOCK 53, REGISTERED PLAN 20M-1115, MUNICIPALLY IDENTIFIED AS 610 FARMSTEAD DRIVE IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (YORK TRAFALGAR GROUP) TOWN FILE: Z-06/16			
<p>i) Zone Standards:</p> <p>Notwithstanding the provisions of the Zoning By-law to the contrary, the following zone standards shall apply:</p> <ul style="list-style-type: none"> <li>a) Maximum Floor Space Index — 2.13</li> <li>b) Maximum Lot Coverage — 35.5%</li> <li>c) Rear Yard Setback — 10.5 minimum</li> <li>d) Required Tenant Parking — 1.25 spaces per unit</li> <li>e) Interior side yard setback of underground parking structure — 1.8m minimum</li> <li>f) Rear yard setback of underground parking structure — 1.2m</li> <li>g) Underground Parking structure setback from front lot line — 0.4m minimum for exhaust/air intake vents abutting Farmstead Drive and the daylight triangle</li> <li>h) Tandem parking spaces — 28 tandem parking spaces provided in the underground parking structure</li> </ul>			

i) Support columns within the underground parking structure may encroach 0.22 metres into a parking space.

<b>13.1.1.237</b>	026-2017 013-2019	M1	<b>*237</b>
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PART OF LOT 12, CONCESSION 5 (NEW SURVEY) FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGION MUNICIPALITY OF HALTON - (ORLANDO CORPORATION) FILE Z-01/15

A. Notwithstanding Section 8.1 — Table 8A Permitted Uses, the following uses shall not be permitted:

- 1) Animal Training Facility
- 2) Commercial School - Trade
- 3) Commercial School — Skill/Profession
- 4) Convenience Store
- 5) Convention Centre
- 6) Motor Vehicle Rental Agency
- 7) Day Care Centre
- 8) Dry Cleaning Depot
- 9) Funeral Home
- 10) Hotel
- 11) Food Bank
- 12) Place of Assembly
- 13) Place of Entertainment
- 14) Place of Worship
- 15) U-Brew Establishment
- 16) Veterinary Clinic — Small Animal
- 17) Veterinary Clinic — Large Animal
- 18) Veterinary Hospital — Small Animal

B. Special Site Provisions

- 1) For the lands zoned Business Park (M1\*237) the following additional special site provisions shall apply:
  - a) For the purposes of this By-law, James Snow Parkway shall be deemed the front lot line.
  - b) Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback greater than the maximum 15 m setback from a building.
  - c) Notwithstanding Section 5.12, Table 51-, parking areas can be setback 0 metres from the property line located within the shared access driveway.
  - d) That the maximum gross floor area for a detached accessory waste storage building shall be 70 m2.

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Business Park (M1\*237), the following additional standards and provision shall apply:

- a) Maximum Building Height: 28.0 metres
- b) For the purposes of this By-law, Building Height shall be defined as the vertical distance measured from the finished floor elevation of such building or structure to, in the case of a flat roof, the highest point of the roof surface or parapet, and shall exclude rooftop mechanical and elevator penthouse.

13.1.1.238	026-2017	M2	*238
PART OF LOT 12, CONCESSION 5 (NEW SURVEY) FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGION MUNICIPALITY OF HALTON - (ORLANDO CORPORATION) FILE Z-01/15			
<p>A. Notwithstanding Section 8.1 — Table 8A Permitted Uses, the following additional use shall be permitted.</p> <ul style="list-style-type: none"> <li>1) Dry Cleaning Depot</li> </ul> <p>B. Notwithstanding Section 8.1 — Table 8A Permitted Uses, the following uses shall not be permitted:</p> <ul style="list-style-type: none"> <li>1) Aggregate Recycling Facility</li> <li>2) Bulk Fuel Depot</li> <li>3) Bulk Propane Storage Facility</li> <li>4) Concrete Batching Plant</li> <li>5) Contractor's Yard</li> <li>6) Motor Vehicle Body Shop</li> <li>7) Motor Vehicle Repair Garage</li> <li>8) Motor Vehicle Rental Agency</li> <li>9) Motor Vehicle Washing Establishment</li> <li>10) Recycling Facility</li> <li>11) Towing Yard</li> <li>12) Transportation Terminal</li> </ul> <p>C. Special Site Provisions:</p> <ul style="list-style-type: none"> <li>1) For the lands zoned General Industrial (M2*238) the following additional special site provisions shall apply: <ul style="list-style-type: none"> <li>a) For the purposes of this By-law, James Snow Parkway shall be deemed the front lot line.</li> </ul> </li> </ul>			

- b) Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback greater than the maximum 20 m setback from a building.
- c) Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback less than the minimum 20 m setback from a street line.
- d) Notwithstanding Section 5.12, Table 5L, parking areas can be setback 0 metres from the property line located within the shared access driveway.
- e) That the maximum gross floor area for a detached accessory waste storage building shall be 70 m<sup>2</sup>.

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific General Industrial (M2\*238), the following additional standards and provision shall apply:

- a) Maximum Building Height: 28.0 metres
- b) For the purposes of this By-law, Building Height shall be defined as the vertical distance measured from the finished floor elevation of such building or structure to, in the case of a flat roof, the highest point of the roof surface or parapet, and shall exclude rooftop mechanical and elevator penthouse.

<b>13.1.1.239</b>	073-2017	I-A	<b>*239</b>
PART OF LOT 11, CONCESSION 4, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (ASHLEY OAKS HOMES INC.) FILE: Z-13/16			
Notwithstanding any provisions to the contrary, the maximum gross floor area for a Waste Storage Area is 45 m <sup>2</sup> .			



<b>13.1.1.240</b>	072-2017	C3	<b>*240</b>
PART OF LOT 10, CONCESSION 2, (NEW SURVEY), TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (2471123 ONTARIO INC.)— FILE: Z-04/16			
For lands zoned Local Commercial *240 (C3*240) the following standards and provisions also apply:			
<p>1. Special Zone Provisions:</p> <ul style="list-style-type: none"> <li>a) Notwithstanding Table 7D, the maximum lot area shall be 1.66 ha.</li> <li>b) Notwithstanding Table 7D, the maximum gross floor area for all buildings combined for uses permitted in a C2 Zone shall be 2,452.1m<sup>2</sup>;</li> <li>c) Notwithstanding Table 7D, the maximum gross floor area for any individual building for uses permitted in a C3 zone shall be 1,200m<sup>2</sup>;</li> <li>d) Notwithstanding Table 7D, the maximum exterior side yard setback shall be 8.4 metres;</li> <li>e) Notwithstanding Section 4.18, a restaurant patio shall be permitted in the interior side yard abutting a residential zone;</li> <li>f) Notwithstanding Section 4.18, a restaurant patio shall be setback a min 1.0 metres from a parking area;</li> <li>g) Notwithstanding Section 5.18.4 (Setbacks for Queuing Lanes), the minimum setback for a queuing lane to a street line shall be 6.5 metres.</li> <li>h) Notwithstanding Section 5.18.1 (i) Table 5G to the contrary, the minimum required ingress spaces for a drive through service facility associated with a take-out restaurant, shown as Restaurant “A” on Schedule “B”, shall be twenty (20) and the minimum required egress spaces shall be two (2).</li> <li>i) Notwithstanding Section 5.18.1 (i) Table 5G to the contrary, the minimum required ingress spaces for a drive through service facility associated with a take-out restaurant, shown as Restaurant “E” on Schedule “B”, shall be eleven (11) and the minimum required egress spaces shall be two (2).</li> </ul>			

13.1.1.241	077-2017 092-2018	M2	*241
<p>PART OF LOT 12, CONCESSION 6 (NEW SURVEY) FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MENKES MILTON INDUSTRIAL INC. AND MENKES MILTON INDUSTRIAL TWO INC.) FILEZ-07/15; AND, 7215 FIFTH LINE AND LEGALLY DESCRIBED AS PART OF LOT 12, CONCESSION 6 (NEW SURVEY) FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MENKES MILTON INDUSTRIAL INC.) FILE Z-03/18</p>			
<p>Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific General Industrial *241 (M2*241), the following standards and provisions shall apply:</p> <ul style="list-style-type: none"> <li>A. Notwithstanding Section 8.1 — Table 8A Permitted Uses, the following additional use shall be permitted: <ul style="list-style-type: none"> <li>1) Wholesale Operation</li> </ul> </li> <li>B. Notwithstanding Section 8.1 — Table 8A Permitted Uses, the following uses shall not be permitted: <ul style="list-style-type: none"> <li>1) Aggregate Recycling Facility</li> <li>2) Bulk Fuel Depot</li> <li>3) Bulk Propane Storage Facility</li> <li>4) Concrete Batching Plant</li> <li>5) Contractor's Yard</li> <li>6) Motor Vehicle Body Shop</li> <li>7) Motor Vehicle Repair Garage</li> <li>8) Motor Vehicle Rental Agency</li> <li>9) Motor Vehicle Washing Establishment</li> <li>10) Recycling Facility</li> <li>11) Towing Yard</li> <li>12) Transportation Terminal</li> </ul> </li> <li>C. Special Site Provisions: <ul style="list-style-type: none"> <li>1) For the lands zoned General Industrial (M2*241) the following additional special site provisions shall apply: <ul style="list-style-type: none"> <li>a) For the purposes of this By-law, Fifth Line shall be deemed the front lot line.</li> <li>b) Notwithstanding Section 8.2, Table 8B, the minimum front yard setback shall be 12.0 metres.</li> <li>c) Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback greater than the maximum 20 m setback from a building.</li> </ul> </li> </ul> </li> </ul>			

- d) Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback less than the minimum 20 m setback from a street line.
- e) Notwithstanding Section 5.12, Table 5L, parking areas can be setback 0 metres from the property line located within the shared access driveway.
- f) Notwithstanding Footnote 7, Table 8A associated with the wholesale operation use, up to a maximum of 15% of the gross floor area of the principal use, may be used for the retail sale of goods or products produced on the premises.
- g) Notwithstanding Section 8.1, Table 8A, an office use accessory to the principal use may be permitted in a separate stand-alone building on the same lot providing the stand-alone building shall not exceed 2,787 square metres in size.

<b>13.1.1.242</b>	085-2017	RMD2	<b>*242</b>
PART LOT 13, CONCESSION 1 NS (TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (110 BRONTE DEVELOPMENTS INC) (FILE: Z-06/17)			
<p>Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential Medium Density 2 (RMD2*242), the following standards and provisions shall apply:</p> <ul style="list-style-type: none"> <li>a) Minimum lot frontage: 40.2 metres</li> <li>b) Minimum front yard setback: 4.0 metres</li> <li>c) Minimum north interior side yard setback: 4.5 metres</li> <li>d) Minimum landscaped open space: 25%</li> <li>e) A deep collection waste disposal system shall be permitted in accordance with the provisions of Section 4.14.2 v) of the by-law.</li> <li>f) Minimum setback from a parking area to a lot line: <ul style="list-style-type: none"> <li>i) South Interior Side Lot Line: 1.5 metres</li> <li>ii) North Interior Side Lot Line: 0.7 metres</li> <li>iii) Rear Lot Line: 1.6 metres</li> </ul> </li> <li>g) Minimum setback from a parking area to a column support: 0 metres</li> </ul>			

<b>13.1.1.243</b>	086-2017	RHD	<b>*243 *243a</b>
PART OF LOT 8, CONCESSION 2, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (WILLMOTT) LIMITED) – FILE: Z-13/14			
<p>A. Special Provisions:</p> <ol style="list-style-type: none"> <li>1) Despite any provisions to the contrary, more than one residential building is permitted on the lot.</li> <li>2) For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the zoning by-law.</li> <li>3) For the purposes of this by-law, a balcony means a platform that may be partially enclosed projecting from the main wall of a building which is not supported by vertical uprights other than the wall itself except when located above a porch/veranda, patio or exclusive use driveway and which is only accessible from within the building</li> <li>4) Notwithstanding any provisions to the contrary, the maximum lot coverage for the overall site shall be 40%.</li> <li>5) Notwithstanding any provisions to the contrary, the minimum landscape area for the overall site shall be 25%.</li> </ol> <p>B. Special Parking Provisions</p> <ol style="list-style-type: none"> <li>1) Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirement for an apartment building shall be: <ol style="list-style-type: none"> <li>a) parking space per 1 bedroom dwelling unit;</li> <li>b) parking spaces per 2 bedroom dwelling unit;</li> <li>c) plus visitor parking.</li> </ol> </li> <li>2) Notwithstanding Section 5.8.1, Table 5E, the minimum visitor parking requirement for an apartment building and for all dwelling units with driveway access from a common parking area or private street: <ol style="list-style-type: none"> <li>a) 0.23 visitor parking spaces per dwelling unit.</li> </ol> </li> <li>3) Notwithstanding any provision to the contrary, a minimum of 60 bicycle parking spaces shall be provided for the apartment building, of which a minimum of 30 bicycle parking spaces shall be provided in an underground parking area.</li> <li>4) Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located no closer than 2.0 metres to a street line or lot line.</li> <li>5) Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback 2.5 m from a lot line and 1.0 m for a hammerhead.</li> <li>6) Notwithstanding Section 4.19.5, Table 4H, stairs and air vents associated with an underground parking structure shall be permitted in any yard.</li> <li>7) No driveway widening is permitted for townhouse dwelling units.</li> </ol>			

- C. Notwithstanding any provisions to the contrary, for an Apartment Building the following shall apply:
- 1) Minimum number of apartment dwelling units is 190;
  - 2) Minimum front yard setback is 4.5 metres;
  - 3) Minimum interior side yard setback is 2.3 metres;
  - 4) Minimum exterior side yard setback is 2.3 metres;
  - 5) Notwithstanding any provisions to the contrary, balconies may encroach 1.5 metres into a required yard, but shall be no closer than 1.3 metres to a lot line;
  - 6) A minimum of 4 m<sup>2</sup> per dwelling unit of outdoor communal amenity space shall be provided at grade and shall be maintained and operated by a common entity.
- D. In addition to the above provisions, the following shall also apply to the lands identified as RHD\*243a:
- 1) Additional permitted uses: 7 Townhouse Dwelling Units – Lane Access, 15 Townhouse Dwelling Units, and 16 Back-to-back and Townhouse Dwelling Units, all subject to the RMD2 provisions.
  - 2) Notwithstanding any provisions to the contrary, for a Townhouse Dwelling – Lane Access the following shall apply:
    - a) For the townhouses fronting onto Leger Way with access to the garage over the rear lot line, the provisions for Townhouses, Lane-Access shall apply.
    - b) Leger Way shall be deemed to be the front yard.
    - c) The minimum lot depth is 18.5 metres;
    - d) The minimum rear yard setback is 1.0 metre.
    - e) The minimum required outdoor amenity area per unit is 10m<sup>2</sup>, to be provided on a balcony.
    - f) The minimum setback to an attached garage accessed over the rear lot line is 1.0 metres, notwithstanding the minimum setback to a pillar associated with the building face is 0.9 m and from a pillar to the rounding of a private street 0.6 m.
    - g) The maximum driveway width is the width of the garage face, including pillars.
  - 3) Notwithstanding any provisions to the contrary, for a Back-to-Back Townhouse Dwelling, the following shall apply:
    - a) The minimum front yard setback to building is 2.0 m;
    - b) The maximum driveway width is 3.5 metres for lots with frontage less than, or equal to, 6.5 metres;
    - c) Porches/Verandas and Balconies are permitted no closer than 1.0 metre to a street line.
    - d) The minimum required outdoor amenity area per unit is 9m<sup>2</sup>, to be provided on a balcony.

<b>13.1.1.244</b>	95-2017	CBD-A	<b>*244</b>
LANDS AS DEPICTED ON FIGURE 1: LOCATION MAP, FILE Z-03/17			
Core Commercial *Special Zone (CBD-A*244)			
i) Additional Permitted Uses: Place of Worship			

<b>13.1.1.245</b>	95-2017	CBD-A	<b>*245</b>
LANDS AS DEPICTED ON FIGURE 1: LOCATION MAP, FILE Z-03/17			
Core Commercial *Special Zone (CBD-A*245)			
i) Additional Permitted Uses: Public Park			

<b>13.1.1.246</b>	95-2017	CBD-A	<b>*246</b>
LANDS AS DEPICTED ON FIGURE 1: LOCATION MAP, FILE Z-03/17			
Core Commercial *Special Zone (CBD-A*246)			
i) Additional Permitted Uses: Public Park			

<b>13.1.1.247</b>	95-2017	I-A	<b>*247</b>
LANDS AS DEPICTED ON FIGURE 1: LOCATION MAP, FILE Z-03/17			
Institutional *Special Zone (I-A*247)			
i) Only Permitted Uses: CBD-A Uses in accordance with Table 7A Place of Worship Elementary School Day Care Centre			
ii) Special Zone Standards: Notwithstanding any provisions of the By-law to the contrary, the zone standards and provisions applicable to the CBD-A zone shall apply.			

<b>13.1.1.248</b>	95-2017	I-A	<b>*248</b>
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LANDS AS DEPICTED ON FIGURE 1: LOCATION MAP, FILE Z-03/17

Institutional \*Special Zone (I-A\*248)

- i) **Only Permitted Uses:**  
 CBD-A Uses in accordance with Table 7A  
 Place of Worship  
 Elementary School  
 Day Care Centre
  
- ii) **Special Zone Standards:**  
 Notwithstanding any provisions of the By-law to the contrary, the zone standards and provisions applicable to the CBD-A zone shall apply.

<b>13.1.1.249</b>	95-2017	I-A	<b>*249</b>
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LANDS AS DEPICTED ON FIGURE 1: LOCATION MAP, FILE Z-03/17

Institutional \*Special Zone (I-A\*249)

- i) **Only Permitted Uses:**  
 CBD-B Uses in accordance with Table 7A  
 Place of Worship  
 Elementary School  
 Day Care Centre
  
- ii) **Special Zone Standards:**  
 Notwithstanding any provisions of the By-law to the contrary, the zone standards and provisions applicable to the CBD-B zone shall apply.

<b>13.1.1.250</b>	015-2018	C2	<b>*250</b>
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PART OF LOT 7, CONCESSION 2, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY IDENTIFIED AS 1205 BRONTE STREET SOUTH (IFFAT GILL) - FILE Z-07/17

- i) **Only Permitted Uses:**
  - a) Veterinary Clinic – Small Animal
  - b) Veterinary Hospital – Small Animal
  - c) One (1) Upper Floor Dwelling Unit (above the Veterinary Clinic/Hospital Uses)
  - d) Pet Grooming Establishment
  
- ii) **Special Zone Standards:**

<p>a) Minimum Lot Frontage: 44.0 metres.</p> <p>b) Maximum Front Yard Setback: 22.6 metres.</p> <p>c) Minimum Rear Yard Setback for existing 1 ½ storey metal clad building (former garage): 1.5 metres.</p> <p>d) Minimum Non-Residential Gross Floor Area for all buildings combined: 313.0 square metres.</p> <p>e) Minimum Gross Floor Area (individual buildings): 74.0 square metres.</p> <p>f) Minimum Landscape Buffer (abutting a street line): 1.8 metres.</p> <p>g) Minimum Landscape Buffer (abutting a residential zone): 1.5metres.</p> <p>iii) <b>Special Site Provisions:</b></p> <p>a) For the purposes of this By-law, a Pet Grooming Establishment is defined as:  <b>PET GROOMING ESTABLISHMENT</b>                      Means a building or part of a building in which domesticated animals are groomed for a fee, and may also include accessory retail goods related to the principal use, but shall not include outdoor animal facilities or overnight boarding.</p> <p>b) Notwithstanding Section 5, Parking and Loading Provisions, Subsection 5.7, Table 5C, the minimum width of an aisle providing access to a parking space within a parking area, shall be 5.5 metres.</p> <p>c) Notwithstanding Section 5, Parking &amp; Loading Provisions, Subsection 5.8.1, Table 5E, the minimum number of parking spaces for the veterinary clinic, veterinary hospital, pet grooming establishment, and the one (1) upper floor dwelling unit shall be 15 spaces, including one (1) Type A accessible parking space.</p> <p>d) Any additional gross floor area will be required to provide parking in accordance with the provisions of the Zoning By-law, as amended.</p>
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<b>13.1.1.251</b>	021-2018	M-1	<b>*251</b>
PART LOT 1, CONCESSION 2 (ESQUESING) BEING PART 1 ON RP 20R-7981 AND MUNICIPALLY IDENTIFIED AS 151 STEELES AVENUE EAST, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HIGH POINT INDUSTRIAL PARKS INC.) – TOWN FILE: Z-15/17			
Repealed by By-law 064-2018.			



13.1.1.252	053-2018 038-2019	RMD1	*252
PARTS 1, 2 AND 3, AND A PORTION OF PART 4 ON PLAN 20R-18391, BEING PART OF LOT 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (BROWNRIDGE) LIMITED) - FILE Z-06/15			
<p>i) Special Site Provisions Applicable to All Dwelling Types</p> <ul style="list-style-type: none"> <li>a. Direct driveway access to Whitlock Avenue shall not be permitted.</li> <li>b. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.</li> <li>c. Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.</li> <li>d. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.</li> <li>e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback 1.2 metres from a lot line, except where a parking area abuts a sidewalk, the setback shall be a minimum of 1.5 metres.</li> </ul> <p>ii) Notwithstanding any provisions to the contrary, for Detached Dwellings – Street Access the following shall apply:</p> <ul style="list-style-type: none"> <li>a. Minimum Lot Frontage (interior lot): 9.13 metres</li> <li>b. For the lot abutting the Open Space and NHS Zone on Basswood Drive (Bowes Heritage House) the following provisions shall apply: <ul style="list-style-type: none"> <li>i. Minimum Lot Depth: 15 metres</li> <li>ii. Minimum Rear yard setback: 2.5 metres</li> </ul> </li> <li>c. Minimum Interior Side Yard Setback for lots flanking onto a servicing block: 1.2 metres.</li> <li>d. In the case of a staggered double car garage, one garage is permitted to have a minimum setback of 2.0 metres to the front lot line providing that the second garage has a minimum setback of 5.5 metres to the front lot line.</li> <li>e. Porches/Verandas are permitted to encroach into the required interior side yard, but at no time shall they be located closer than 0.9 metres to the interior side lot line.</li> <li>f. Notwithstanding any regulation of this By-law to the contrary, on any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 metres from their intersection.</li> </ul> <p>iii) Notwithstanding any provisions to the contrary, for Detached Dwellings- Street Access, Interior Lot, the following shall apply:</p> <ul style="list-style-type: none"> <li>a. Notwithstanding the Zone Regulations of Section 6.3.1.1 iii) – iv) to the contrary, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres provided the porch/veranda is located within 1.83 metres of the garage face.</li> </ul>			

- b. Second storey boxed/bay windows shall be permitted in a required interior side yard for interior lots adjacent to a corner lot on a roundabout.
  - c. Notwithstanding the Zone Regulations of Section 6.3.1.1 to the contrary, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.
- iv) Notwithstanding any provisions to the contrary, for Detached Dwellings – Street Access, Corner Lot, the following shall apply:
- a. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot.
  - b. An attached garage may be located no closer than 0.6 metres from the rear lot line, if the garage is accessed by a residential driveway crossing the exterior side lot line.
  - c. On a corner lot at the intersection of two local public or private streets, the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.
  - d. Where an attached garage is accessed over the exterior side lot line, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.
  - e. Where an attached or detached garage is accessed over the exterior side lot line, fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line and the residential driveway.
  - f. At the intersection of 2 local public or private streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - g. In the case of a staggered double car garage on lots having frontage greater than 9 metres and less than or equal to 11.5 metres the residential driveway shall not exceed 6.5 metres.
  - h. Notwithstanding the Zone Regulations of Section 6.3.1.1 iii) - v) to the contrary, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.
  - i. Notwithstanding the Zone Regulations of Section 6.3.1.1 iii) – v) , to the contrary, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres.
  - j. Notwithstanding Section 6.3.1.1 v) to the contrary, the garage portion of the elevation may project beyond the dwelling face or porch/veranda portion of the elevation.
  - k. For the detached dwelling units that are located at the corner of Whitlock Avenue and the roundabout, the following additional provisions shall apply:
    - i. Whitlock Avenue shall be deemed to be the front yard;
    - ii. Minimum Interior Side Yard Setback: 7.0 metres
    - iii. Minimum Rear Yard Setback to the dwelling (excluding the garage): 6.5 metres

- iv. A residential driveway can extend into a rear yard to access an attached garage, provided that the driveway does not extend beyond the garage face.
- v) Notwithstanding any provisions to the contrary, for Townhouse Dwellings – Street Access, the following shall apply:
  - a. Minimum Exterior side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide
  - b. For corner units at the intersection of two local public or private street lines, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
- vi) Notwithstanding any provisions to the contrary, for Townhouse Dwellings – Private Street, Rear Access, the following shall apply:
  - a. For all lane based townhouses, the yard where the driveway is located is deemed to be the rear yard.
  - b. Minimum Lot depth (all unit types): 18.0 metres
  - c. Minimum Rear Yard Setback (all unit types): 0.6 metres
  - d. The minimum required outdoor amenity area per unit is 10 m<sup>2</sup>, to be provided on a balcony.
  - e. Notwithstanding any provisions of the By-law to the contrary, in those instances where the front yard is included as part of a common element of a condominium, the minimum required front yard setback between a condominium dwelling unit and a common element shall be 0.0 metres.
  - f. For dwelling units facing Whitlock Avenue, the following additional provisions shall apply:
    - i. a 3.0 metre structural setback for the purposes of a landscape buffer shall be provided.
    - ii. Porches may encroach into the structural setback to a maximum of 1.5 metres to the front lot line.
    - iii. Porches shall not occupy more than 50% of the dwelling face width fronting Whitlock Avenue.
  - g. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
  - h. For corner lots at the intersection of two private street lines, no part of any residential driveway shall be located closer than 3.0 metres from the point of intersection of the two street lines.
  - i. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
  - j. Section 5.6.2 viii b) shall not apply.
  - k. Notwithstanding Section i) c. above, the condominium located south of Whitlock Avenue, shall only be required to provide two (2) on-site visitor parking spaces.

13.1.1.253	053-2018	RMD2	*253
PARTS 1, 2 AND 3, AND A PORTION OF PART 4 ON PLAN 20R-18391, BEING PART OF LOT 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (BROWNRIDGE) LIMITED) - FILE Z-06/15			
<p>i) Special Site Provisions</p> <ul style="list-style-type: none"> <li>a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.</li> <li>b. Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.</li> <li>c. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.</li> <li>d. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback a minimum of 1.2 metres from a lot line, except where a parking area abuts: <ul style="list-style-type: none"> <li>i. a sidewalk, the setback shall be a minimum of 1.5 metres; and,</li> <li>ii. a lot line adjacent to Regional Road 25, the setback shall be a minimum of 2.4 metres.</li> </ul> </li> <li>e. For the purposes of this by-law, a balcony means a platform that may be partially enclosed projecting from the main wall of a building which may not be supported by vertical uprights other than the wall itself except when located above a porch/veranda, patio, or exclusive-use driveway, and which is only accessible from within the building.</li> </ul> <p>ii) Notwithstanding any provisions to the contrary, for Back to Back Townhouse Dwellings the following shall apply:</p> <ul style="list-style-type: none"> <li>a. Minimum Lot frontage (corner unit): 8.0 metres</li> <li>b. Minimum Front yard setback (all unit types): 2.0 metres to building</li> <li>c. Minimum Exterior yard setback (corner lot): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide.</li> <li>d. Minimum Interior Side Yard Setback for lots flanking onto Regional Road 25: 4.1 metres to building face and 3.5 metres to a balcony.</li> <li>e. Notwithstanding Sections 6.3.2.2 and 6.3.2.3, porches/verandas and balconies are permitted to be located no closer than 1.0 metre to a street line.</li> <li>f. The minimum required outdoor amenity area per unit is 7 m<sup>2</sup>, to be provided on a balcony.</li> <li>g. Notwithstanding Section 4.2.2.1 iii), to the contrary, for a corner unit at the intersection of 2 local public or private streets, the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.</li> <li>h. Notwithstanding Section 5.6.2 iii), to the contrary, for corner units at the intersection of 2 local public or public streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.</li> <li>i. Notwithstanding Section 5.6.2 iv) d) A), a maximum driveway width of 3.5 metres shall be permitted for lots with frontage less than or equal to 6.5 metres.</li> </ul>			

<b>13.1.1.254</b>	069-2018	I-B	<b>*254</b>
PARTS 1, 2, 3 AND 4, PLAN 20R-20866, PART OF LOTS 6 and 7, CONCESSION 1, N.S., (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON DISTRICT SCHOOL BOARD) FILE Z-16/17			
<p>a) Notwithstanding the provisions of Section 4.19.1 iii), a secondary school may be erected, used, or occupied with an interim stormwater outlet grading and drainage design.</p> <p>b) Notwithstanding Section 5.11 to the contrary, no more than 3 loading spaces will be required.</p>			

<b>13.1.1.255</b>	085-2018	RMD2	<b>*255</b>
PART OF LOT 10, CONCESSION 2 FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY IDENTIFIED AS 7480 DERRY ROAD WEST (FGL DERRY INC) TOWN FILE: Z-10/17			
<p>i) Zone Standards:</p> <p>Notwithstanding the regulations of Section 6.2 Table 6D of Zoning By-law 016-2014 to the contrary, the following zone standards shall apply to an apartment building:</p> <ul style="list-style-type: none"> <li>a) Maximum Number of Units – 187 units</li> <li>b) Minimum Front Yard Setback <ul style="list-style-type: none"> <li>a. To Building – 3.4 metres</li> <li>b. To Front Entrance Canopy – 1.4 metres</li> <li>c. To Foundation of Underground Parking Garage – 1.4 metres</li> </ul> </li> <li>c) Minimum Interior Side Yard Setback (east property line) – 4.7 metres</li> <li>d) Maximum Building Height – 6 storeys or 21.5 metres</li> <li>e) Minimum Off-Street Parking Requirements – 1.0 space per dwelling unit plus 0.25 spaces per unit for visitor parking</li> </ul> <p>Notwithstanding the provisions of Section 5.12, Table 5L, of Zoning By-law 016-2014 to the contrary, the following zone standards shall apply:</p> <ul style="list-style-type: none"> <li>f) Minimum setback from drive aisle to building support column – 1.0 metre</li> </ul> <p>Notwithstanding the provisions of Section 4.19.5, Table 4H, of Zoning By-law 016-2014 to the contrary, the following zone standards shall apply:</p> <ul style="list-style-type: none"> <li>g) Balconies are permitted to encroach into a required side or rear yard to a maximum of 2.0 metres.</li> </ul> <p>Notwithstanding the provisions of Section 5.10.v) of Zoning By-law 016-2014 to the contrary, the following zone standard shall apply:</p> <ul style="list-style-type: none"> <li>h) A minimum of 10 bicycle parking spaces shall be located outside of the building.</li> </ul>			

<b>13.1.1.256</b>	089-2018 081-2020	RLD1	<b>*256</b>
PART OF PLAN 7, LOT 2, BLOCK 1, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY IDENTIFIED AS 17 BRONTE STREET SOUTH (FILE Z-09/15)			
<p>Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential Low Density (RLD-256), the following standards and provisions shall apply:</p> <p>i) Additional Permitted Uses</p> <p style="padding-left: 20px;">a) Office Uses on the First Storey b) Two (2) Upper Floor Dwelling Units</p> <p>ii) The regulations found in Section 6.2, Table 6B for a detached dwelling shall apply to a mixed-use office building.</p> <p>iii) Zone Standards</p> <p style="padding-left: 20px;">a) Minimum Front Yard: 1.85 m b) Minimum Landscaped Open Space: 20%</p> <p>iv) Special Site Provisions</p> <p style="padding-left: 20px;">a) The total gross floor area for all office uses permitted under Section 13.1.1.256 shall not exceed 148 square metres. b) Parking areas shall comply with the following minimum setbacks:                  i. 0.24 m from northern side lot line;                  ii. 1.55 m from the southern side lot line;                  iii. 0.96 m from rear lot line; and                  iv. 0 m from a building.              c) Notwithstanding any provisions to the contrary, a Home Day Care use shall only be permitted in a single detached, semi-detached and duplex dwelling.</p>			

<b>13.1.1.258</b>	022-2019	UGC-MU	<b>*258</b>
PART OF LOT 13, CONCESSION 3 NS (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - (JACAL HOLDINGS LTD.) – TOWN FILE Z-12/16			
Urban Growth Centre Mixed Use – Special Section (UGC-MU*238-H31) Zone			
<p>(i) <b>Additional permitted uses:</b></p> <p style="padding-left: 20px;">a. A Day Nursery b. A Mixed Use Building</p> <p>(ii) <b>Special Site Provisions:</b></p> <p style="padding-left: 20px;">a. The following use is not permitted on lands zoned UGC-MU*238-H31:                  a) Drive-through facilities either stand-alone or ancillary to another permitted use.</p>			

- b. For the purpose of this By-law, a Guest Unit means

*A Guest Unit is a room within the apartment building that is not connected to any individual apartment, but which includes bedroom and bathroom space that can be used by visitors to the apartment building as overnight temporary accommodation and it shall not include a kitchen. A Guest Unit does not constitute an apartment and shall not require a separate parking provision.*

- c. For the purpose of this By-law, *floor plate area* means:

*The gross horizontal floor area of a single floor measured from all the exterior walls of a building or structure excluding balconies.*

- d. Notwithstanding the provisions of Section 4.19.4, Exceptions to Height Requirements, the calculation of Building Height shall be exclusive of mechanical penthouses, rooftop equipment, elevator tower, stair tower and/or architectural features such as parapets and screen walls.

- e. Notwithstanding the provisions of Section 5.8.1 j), Table 5E to the contrary:

a. The parking requirement for an apartment building shall be 1.03 spaces per dwelling unit plus 0.25 visitor parking spaces per dwelling unit.

b. Shared parking provision – Visitor parking associated with a residential use, and client parking associated with a permitted non-residential use, may be provided in any combination of a parking structure and may be used for any combination of residential and permitted non-residential uses.

- f. Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.5 m of a street line or lot line.

- g. Notwithstanding Section 5.10 vi) Bicycle Parking Space Requirements; a minimum of 600 bicycle parking spaces shall be provided and must be located in a long-term bicycle parking area that must be locked and have access permitted to residents only.

- h. Notwithstanding Section 5.1 ix) of By-law 016-2014, a required loading space(s) may be provided in a building.

- i. A minimum of 4 m<sup>2</sup> per *dwelling unit* of outdoor communal *amenity* space shall be provided at *grade* and/or as a rooftop amenity area on the podium and shall be maintained and operated by a common entity (such as a condominium corporation). This outdoor communal *amenity* space shall be aggregated into areas of not less than 50 square metres and have a minimum width of 6.0 metres.

- j. Where there is more than one residential building, the minimum separation between towers shall be 25 metres measured from the main face of the building and excluding balconies.
- k. Any portion of a building between a height of 8 storeys and 15 storeys must not exceed a floor plate area of 1000 square metres on the development site.
- l. Any portion of a building above a height of 15 storeys must not exceed a floor plate area of 750 square metres or 40 linear metres measured diagonally on the development site.
- m. The podium of a residential or mixed use building shall have a minimum height of 3 storeys and a maximum of 6 storeys.
- n. A minimum of 950 square metres of commercial gross floor area shall be provided at grade.
- o. Waste storage areas shall be located within the principal building.
- p. Any awning, canopy and/or similar weather shielding structure, and any restaurant patio, may project to any lot line
- q. Transformer and Telecommunications: Transformer and telecommunications vaults and pads shall not project towards a public street beyond the main wall of the building.
- r. Building Height: Minimum height of a non-residential first storey (measured from top-of-slab to top-of-slab) of a mixed use building is 4.5 metres.

**iii) Zone Standards:**

- (i) Notwithstanding the provisions of Section 7.2, Table 7C to the contrary:
  - a. Maximum number of dwelling units is 810
  - b. The maximum permitted gross floor area of all buildings and structures on the lands is 88,000 square metres.
  - c. The maximum lot coverage shall be 70%.
  - d. The maximum exterior side yard shall be 11 m.
  - e. Maximum height of all buildings is 31 storeys and 100 metres



13.1.1.259	055-2010 038-2019	RMD1	*259
<p>LOTS 151- 160 PLAN 20M-786 (KNOWN MUNICIPALLY AS 1078-1116 DAVIS LANE), LOT 92 PLAN 20M-786 (KNOWN MUNICIPALLY AS 2 ROBARTS DRIVE), BLOCKS 377-379 PLAN 20M-786 (KNOWN MUNICIPALLY AS 116-144 MANLEY LANE), BLOCKS 380-382 PLAN 20M-786 (KNOWN MUNICIPALLY AS 1118-1148 DAVIS LANE), BLOCKS 385-386 PLAN 20M-786 (KNOWN MUNICIPALLY AS 1212-1226 MOWAT LANE), BLOCKS 218-220 PLAN 20M-848 (KNOWN MUNICIPALLY AS 1228-1274 MOWAT LANE) AND LOTS 1-14 PLAN 20M-848 (KNOWN MUNICIPALLY AS 1276-1332 MOWAT LANE)</p>			
<p>i) Special Site Provisions</p> <p>Notwithstanding any provisions of the By-law to the contrary, the following standards and provisions shall apply to fences within a front yard:</p> <p>a) Front lot line fences or fences within the front yard running parallel to the front lot line are prohibited.</p> <p>b) Interior side lot line fencing in the front yard is permitted to have a maximum height of 1.4 m</p>			

13.1.1.260	043-2019	RMD2	*260
<p>PART OF LOT 10, CONCESSION 1, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY IDENTIFIED AS 710 BRONTE STREET SOUTH (HOWLAND GREEN (BRONTE WEST) LIMITED) - TOWN FILE: Z-13/17</p>			
<p>Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Residential Medium Density 2 (RMD2*260), the following provisions shall apply:</p> <p>i) Zone Standards:</p> <ul style="list-style-type: none"> <li>a) The lot line abutting Transom Crescent and Megson Terrace shall be deemed the front lot line</li> <li>b) Maximum Number of Units – 132 units</li> <li>c) Minimum Front Yard Setback – 11.5 metres</li> <li>d) Minimum Rear Yard Setback – 3.0 metres</li> <li>e) Minimum Interior Side Yard Setbacks – 3.0 metres (east) and 5.0 metres (west)</li> <li>f) Maximum Floor Space Index – 1.63</li> <li>g) Maximum Building Height – 6 storeys to a maximum of 22.7 metres</li> <li>h) The parking requirement for an apartment building shall be a minimum of 1.25 spaces per unit plus 0.25 spaces per unit for visitors</li> <li>i) Minimum Setback Between Front Yard Canopy Support Structures and Driveway – 0.15 metres</li> <li>j) Minimum Setback Between Driveway and West Lot Line – 0.5 metres</li> <li>k) Minimum Setback Between Front Lot Line and Nearest Parking Space – 6.3 metres</li> <li>l) An acoustical fence to a maximum height of 1.5 metres is permitted within the front yard along the west lot line</li> <li>m) Waste storage facilities are permitted within the main building</li> <li>n) Minimum bicycle parking requirements - 8 short-term (outdoor) spaces and 45 long-term (indoor) spaces</li> </ul> <p>Minimum setback from an underground parking structure to the east side lot line – 1.5 metres</p>			

13.1.1.261	063-2019	RHD	*261
<p>PART OF LOT 10, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - BRIARWOOD (MILTON TOWERS) LTD. &amp; BRIARWOOD (MILTON GREENFIELDS) LTD. (TOWN FILE: Z-12/17)</p>			
<p>i) Only Permitted Uses:</p> <ul style="list-style-type: none"> <li>a) Apartment Buildings</li> <li>b) Stacked Townhouse Dwellings</li> <li>c) Townhouse Dwellings</li> <li>d) Home Occupations</li> </ul> <p>ii) Special Site Provisions:</p> <p>Notwithstanding any provisions of the by-law to the contrary, the following provisions shall apply:</p> <ul style="list-style-type: none"> <li>a) For the purpose of administering the zoning by-law, the lands identified as RHD*261*H33 on Schedule A shall be considered to be one lot.</li> <li>b) For the purpose of this By-law, floor plate area means: The gross horizontal floor area of a single floor measured from all the exterior walls of a building or structure excluding balconies.</li> <li>c) A minimum of 4 square metres of outdoor communal amenity space per apartment dwelling unit and stacked townhouse dwelling unit shall be provided at grade and/or as a rooftop amenity area on the podium and shall be maintained and operated by a common entity (such as a condominium corporation).</li> <li>d) The separation distance between a Stacked Townhouse Dwelling and an Apartment Building shall be a minimum of 5 metres from building face to building face.</li> <li>e) Notwithstanding any provisions to the contrary, the maximum lot coverage for the overall site shall be 40%.</li> <li>f) Transformer and telecommunications vaults and pads shall not project towards a public street beyond the main wall of a building.</li> <li>g) Despite any provisions to the contrary, more than one residential building is permitted on the lot.</li> </ul> <p>iii) Special Zone Standards – Apartment Buildings</p> <ul style="list-style-type: none"> <li>1. Apartment Buildings</li> </ul> <p>Notwithstanding any provisions of the by-law to the contrary, the following provisions shall apply to an apartment building:</p> <ul style="list-style-type: none"> <li>a) Site development plans shall comply with Schedule B attached hereto.</li> <li>b) GUEST UNIT means a room within an apartment building that is not connected to any individual apartment dwelling, but which includes bedroom and bathroom space that can be used by visitors to the apartment building as overnight temporary accommodation and it shall not include a kitchen. A Guest Unit does not constitute an apartment dwelling and shall not require a separate parking provision.</li> <li>c) Maximum height is 25 stories and 77 metres</li> <li>d) A mechanical penthouse is exempt from the maximum height requirements regardless of its setback from the exterior walls of the floor beneath it</li> </ul>			

- e) Maximum number of residential units is 590 units.
- f) Where there is more than one apartment building, the minimum separation between towers shall be 25 metres measured from the face of the building, excluding balconies.
- g) The podium of Buildings “A”, “B” and “C” as shown on Schedule “B” to this By-law (see amending by-law 063-2019) shall have a minimum height of three storeys.
- h) Any portion of a building between a height of 9 storeys and 15 storeys must not exceed a floor plate area of 1,000 square metres on the development site.
- i) Any portion of the building above a height of 15 storeys must not exceed a floor plate area of 750 square metres or 40 linear metres measured diagonally on the development site. Notwithstanding the foregoing, the 16th Floor (top floor) of Building “C” as shown on Schedule “B” to this By-law (see amending by-law 063-2019) may have a maximum floor plate of 870 square metres or 51 linear metres measured diagonally.
- j) Notwithstanding the provisions of Section 4.19.4, Exceptions to Height Requirements, the calculation of Building Height shall be exclusive of mechanical penthouses, rooftop equipment, elevator tower, stair tower and/or architectural features such as parapets and screen walls

## 2. Stacked Townhouse Dwellings

Notwithstanding any provision of the by-law to the contrary, the following provisions shall apply to a Stacked Townhouse Dwelling:

- a) Site development plans shall comply with Schedule “B” (see amending by-law 063-2019) attached hereto.
- b) The minimum separation distance between an apartment building and a stacked townhouse dwelling is 5 metres;
- c) HVAC units are not permitted in any yard facing a public street.

## 3. Townhouse Dwellings – Street Access

Notwithstanding any provision of the by-law to the contrary, the following provisions shall apply to a Townhouse Dwelling:

- a) A “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for the purpose of administering the zoning by-law.
- b) Unless specified otherwise, a “unit” within a plan of condominium shall comply with the zoning requirements for the RMD2 zone.
- c) The minimum lot frontage is 5.8 metres for all types of townhouse units;
- d) The minimum lot depth is 20 metres;
- e) The minimum front yard setback is 3.5 metres.
- f) The minimum interior side yard setback for end units abutting a common element area shall be 0 metres on both sides
- g) The minimum rear yard setback is 7.0 metres save and except for units shown on Schedule C attached hereto (see amending by-law 063-2019); and
- h) Support walls or columns may project out a maximum of 1.5 metres from the garage face and encroach into the minimum required driveway width provided the encroachment does not exceed a width of 0.5 metres and a minimum clear driveway width of 3.0 metres is maintained in the area of the encroachment.

- i) Sections 6.3.1.3 iv), v) and vi) of the zoning by-law shall not apply.
- j) The platform of a deck may be higher than the floor of the first storey.
- k) Balconies may encroach a maximum of 2 metres into a required rear yard.
- l) On lots having a frontage of less than or equal to 6.5m the maximum residential driveway width shall be 3.3 metres.

**4. Special Parking Provisions**

- a) Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirements for an apartment building shall be:
  - a. 1.03 spaces per 1 bedroom dwelling unit;
  - b. 1.15 spaces per dwelling unit for all other bedroom units; and
  - c. 0.25 visitor parking spaces per dwelling unit.
- b) Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirements for a stacked townhouse dwelling shall be:
  - a. 1.15 spaces per dwelling unit
  - b. 0.25 visitor parking spaces per dwelling unit.
- c) Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirements for a townhouse dwelling shall be:
  - a. spaces per dwelling unit
  - b. 0.25 visitor parking spaces per dwelling unit.
- d) A minimum of 23 short-term (outdoor) and 363 long-term (indoor) bicycle parking spaces shall be provided for the apartment building.
- e) Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.7 metres of a street line or lot line.
- f) Notwithstanding Section 5.12 Table 5L to the contrary, a parking area may be located within 0 metres of a private street line.

13.1.1.262	065-2019	RMD1	*262
PART OF LOT 6, CONCESSION 1 FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (PONY PINES DEVELOPMENT INC.) FILE Z-05/14			
Special Zone Standards: <ul style="list-style-type: none"> <li>a) Notwithstanding Table 6C, Footnote *2 shall be applied to Townhouse Dwellings;</li> <li>b) Notwithstanding Section 5.6.2 (iii), to the contrary, for corner lots at the intersection of two local public streets, both with a 16 metre right-of-way or less, no part of any residential driveway shall be located closer than 5 metres from the point of intersection of the two local street lines;</li> <li>c) For the purposes of this By-Law, the provisions of Section 3 Definitions shall apply with the following changes: “Lot Frontage” shall be the distance measured along the front lot line between the side lot lines where the side lot lines are parallel. In cases where the side lot lines are not parallel, the distance is measured from a point on each side lot line that is 3.0 m setback from the front lot line or the hypothetical intersection of the front lot line and the side lot line.”</li> </ul>			

- d) Notwithstanding Table 4H, chimneys may project a maximum distance of 0.46 metres into the required rear, exterior side or interior side yard setback subject to provision ii to Table 4H;
- e) Notwithstanding the minimum driveway width in Section 5.6.2 iv) a), a 0.4 metre x 0.4 metre supporting pillar may encroach into the driveway a maximum of 0.2metre, provided the minimum driveway width is 2.95 metres at the encroachment.
- f) Notwithstanding Table 6C (Zone Standards), the minimum rear yard setback shall be 6.0 metres.

13.1.1.263	065-2019	RMD2	*263
PART OF LOT 6, CONCESSION 1 FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (PONY PINES DEVELOPMENT INC.) FILE Z-05/14			
Special Zone Standards:			
<ul style="list-style-type: none"> <li>a) Notwithstanding Table 6D, Footnote *2 shall be applied to Back-To-Back Townhouse Dwellings;</li> <li>b) Notwithstanding Section 5.6.2 (iii), to the contrary, for corner lots at the intersection of two local public streets, both with a 16 metre right-of-way or less, no part of any residential driveway shall be located closer than 5 m from the point of intersection of the two local street lines;</li> <li>c) For the purposes of this By-Law, the provisions of Section 3 Definitions shall apply with the following changes: “Lot Frontage” shall be the distance measured along the front lot line between the side lot lines where the side lot lines are parallel. In cases where the side lot lines are not parallel, the distance is measured from a point on each side lot line that is 3.0 metres setback from the front lot line or the hypothetical intersection of the front lot line and the side lot line.”</li> <li>d) Notwithstanding the minimum driveway width in Section 5.6.2 iv) a), a 0.4 metres x 0.4 metres supporting pillar may encroach into the driveway a maximum of 0.2 metres, provided the minimum driveway width is 2.95 metres at the encroachment.</li> <li>e) Notwithstanding Table 6D in Section 6.2 (Zone Standards), the minimum front yard setback shall be 2.0 metres.</li> </ul>			

13.1.1.264	061-2019	RMD1	*264
PART OF LOTS 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON – MATTAMY (BROWNRIDGE) LIMITED – (TOWN FILE: Z-14/17)			
i) Special Site Provisions Applicable to All Dwelling Types			
<ul style="list-style-type: none"> <li>a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.</li> <li>b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting public street, the reserve shall be deemed to constitute part of the lot for the purposes of calculating required setbacks only. Reserves used for such purposes must remain clear and unencumbered.</li> </ul>			

- c. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.
  - d. Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.
  - e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
  - f. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area shall be setback 1.2 metres from a lot line, except where a parking area abuts:
    - i. a sidewalk, the setback shall be a minimum of 1.5 metres; and,
    - ii. a lot line adjacent to Thompson Road, the setback shall be a minimum of 2.4 metres.
- ii) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access (All Types) the following shall apply:
- a. In the case of a staggered double car garage:
    - i. One garage is permitted to have a minimum setback of 2.0 metres to the front lot line providing that the second garage has a minimum setback of 5.5 metres to the front lot line.
    - ii. On lots having frontage less than or equal to 11.5 metres the driveway width shall not exceed 6.6 metres.
  - b. Notwithstanding Section 4.19.5, Table 4H, porches/verandas encroaching into the required interior side yard are permitted to be located 0.9 metres to the interior side lot line.
  - c. Where located on top of a porch/veranda, balconies are permitted to encroach into the required interior side yard and shall be provided in accordance with b) above.
  - d. Notwithstanding any regulation of this By-law to the contrary, on any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 metres from their intersection.
  - d. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- iii) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Interior Lot:
- a. Lot frontage (minimum), interior lot – 9.15 metres
  - b. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.
  - c. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, provided the garage face does not project further than 1.83m beyond the porch.
  - d. Second storey boxed/bay windows shall be permitted in a required interior side yard for interior lots adjacent to a corner lot on a roundabout.
- iv) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Corner Lot, the following shall apply:
- a. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot.
  - b. Where a garage is accessed by a residential driveway crossing the exterior side lot line:
    - i. An attached garage may be located no closer than 0.6 metres from the rear lot line.
    - ii. Air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.

- iii. Fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line, and the residential driveway.
- c. At the intersection of two local public or private streets:
  - i. The outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
  - ii. No part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
- d. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.
- e. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, and the garage portion of the elevation may project no further than 1.83 metres beyond the dwelling face or porch/veranda portion of the elevation.
- f. For the detached dwelling units that are located at the corner of Whitlock Avenue and the roundabout, the following additional provisions shall apply:
  - i. The yard abutting Whitlock Avenue shall be deemed to be the front yard;
  - ii. Minimum lot depth shall be measured along the interior lot line.
  - iii. Minimum Interior Side Yard Setback: 7.0 metres
  - iv. Minimum Rear Yard Setback to the dwelling (excluding the garage): 6.5 metres
  - v. A residential driveway can extend into a rear yard or interior side yard to access an attached garage, provided that the driveway does not extend beyond the garage face.
- g. For the detached dwelling unit that is located at the northwest corner of Logan Drive and Thompson Road, the following additional provisions shall apply:
  - i. The yard abutting Logan Drive shall be deemed to be the front yard;
  - ii. Minimum lot depth shall be measured along the west interior lot line.
  - iii. Minimum Interior Side Yard Setback: 6.5 metres
  - iv. Minimum Rear Yard Setback to the dwelling (excluding the garage): 5.5 metres
  - v. A residential driveway can extend into an interior side yard to access an attached garage.
  - vi. The maximum driveway width, measured parallel to the garage face: 10.5 m
- i) Notwithstanding any provisions to the contrary, for Townhouse Dwelling – Street Access, the following shall apply:
  - a. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide
  - b. At the intersection of two local public or private streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - c. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- vi) Notwithstanding any provisions to the contrary, for Townhouse Dwelling – Private Street, Rear Access, the following shall apply:
  - a. For all lane-based townhouses, the yard where the driveway is located is deemed to be the rear yard.
  - b. Minimum Lot depth (all unit types): 18.0 metres
  - c. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide
  - d. Rear yard setback (minimum), all unit types – 1.0 metre

- e. Notwithstanding Section vii) d. above, units with driveways abutting the inside or outside of a rounding or curve shall have a minimum rear yard setback of 0.6 metres.
- f. The minimum required outdoor amenity area per unit is 10 m<sup>2</sup>, to be provided on a balcony.
- g. Notwithstanding any provisions of the By-law to the contrary, in those instances where the front yard is included as part of a common element of a condominium, the minimum required front yard setback between a condominium dwelling unit and a common element shall be 0.0 metres.
- h. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
- i. For the corner lots at the intersection of Sycamore Garden and the private lane accessing Medium Density Residential Block 585 only, no part of any residential driveway shall be located closer than 4.5 metres from the point of intersection of the two street lines.
- j. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
- k. Section 5.6.2 viii b) shall not apply.
- l. Notwithstanding any provisions to the contrary, only 2 visitor parking spaces shall be required for a condominium block consisting entirely of rear access townhouse dwelling units, and only where each dwelling unit has frontage on a public street.

13.1.1.265	061-2019	RMD2	*265
PART OF LOTS 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON – MATTAMY (BROWNRIDGE) LIMITED – (TOWN FILE: Z-14/17)			
<p>i) Special Site Provisions</p> <ul style="list-style-type: none"> <li>a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.</li> <li>b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting public street, the reserve shall be deemed to constitute part of the lot for the purposes of calculating required setbacks only. Reserves used for such purposes must remain clear and unencumbered.</li> <li>c. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.</li> <li>d. Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.</li> <li>e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.</li> <li>f. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area shall be setback a minimum of 1.2 metres from a lot line, except where a parking area abuts: <ul style="list-style-type: none"> <li>i. a sidewalk, the setback shall be a minimum of 1.5 metres; and,</li> <li>ii. a lot line adjacent to Thompson Road, the setback shall be a minimum of 2.4 metres.</li> </ul> </li> </ul> <p>ii) Notwithstanding any provisions to the contrary, for Back to Back Townhouse Dwellings, the following shall apply:</p> <ul style="list-style-type: none"> <li>a. Minimum Lot frontage (corner unit): 8.0 metres</li> <li>b. Minimum Front yard setback (all unit types): 2.0 metres to building</li> </ul>			



<ul style="list-style-type: none"> <li>c. Minimum Exterior yard setback (corner lot): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide.</li> <li>d. The minimum required outdoor amenity area per unit is 6 m<sup>2</sup>, to be provided on a balcony.</li> <li>e. Porches/verandas and balconies are permitted to be located no closer than 1.0 metre to a street line.</li> <li>f. For a corner unit at the intersection of two local public or private streets:             <ul style="list-style-type: none"> <li>i. the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.</li> <li>ii. no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.</li> </ul> </li> <li>g. Notwithstanding Section 5.6.2 iv) d) A), a maximum driveway width of 3.5 metres shall be permitted for lots with frontage less than or equal to 6.5 metres.</li> <li>h. For units that do not have an interior side yard, air conditioning an heat exchange units may be located in a required front or exterior side yard and are permitted to be located no closer than 0.6 metres to a front or exterior side lot line.</li> <li>i. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.</li> </ul>
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13.1.1.266	061-2019	RHD	*266
<p>PART OF LOTS 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON – MATTAMY (BROWNRIDGE) LIMITED – (TOWN FILE: Z-14/17)</p>			
<p>Notwithstanding any provisions to the contrary, the following shall apply:</p> <ul style="list-style-type: none"> <li>i) Additional Permitted Uses             <ul style="list-style-type: none"> <li>a. Dwelling, Townhouse,</li> <li>b. Dwelling, Back-to-Back Townhouse</li> <li>c. Dwelling, Multiple</li> </ul> </li> <li>ii) Zone Standards for Apartment Buildings:             <ul style="list-style-type: none"> <li>a. Minimum Height: 4 storeys</li> <li>b. Maximum Height: 8 storeys to a maximum of 29 metres</li> <li>c. Front Yard Setback (minimum): 6 metres</li> </ul> </li> <li>iii) Zone Standards for Townhouse Dwellings:             <ul style="list-style-type: none"> <li>a. Shall be subject to the RMD1*264 zone provisions.</li> </ul> </li> <li>iv) Zone Standards for Back-to-Back Townhouse:             <ul style="list-style-type: none"> <li>a. Shall be subject to the RMD2*265 zone provisions.</li> </ul> </li> <li>v) Special Site Provisions             <ul style="list-style-type: none"> <li>a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.</li> <li>b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.</li> <li>c. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.</li> <li>d. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback a minimum of 1.2 metres from a lot line, except where a parking area abuts a sidewalk, the setback shall be a minimum of 1.5 metres.</li> </ul> </li> </ul>			

<b>13.1.1.267</b>	061-2019	I-A	<b>*267</b>
PART OF LOTS 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON – MATTAMY (BROWNRIDGE) LIMITED – (TOWN FILE: Z-14/17)			
Notwithstanding Section 4.19.4, 4.20.4 and Section 9.2, Table 9B to the contrary, for an elementary school in the Minor Institutional (I-A*267) Zone, the following provisions shall apply:			
i) Zone Standards:			
a. Maximum Total Building Height: 16.5 metres			
b. Landscape Buffer Abutting a Street: 2.5 metres			
ii) Special Site Provisions:			
a. Notwithstanding Section 5.11 to the contrary, no more than one (1) loading space shall be required.			
b. Notwithstanding Section 5.1 ii) to the contrary, parking spaces required by this by-law for the elementary school are permitted to be located on the adjacent neighbourhood park block in accordance with the terms of an agreement executed by the Town of Milton and the applicable School Board.			

<b>13.1.1.268</b>	079-2019	C2	<b>*268</b>
1050 BRONTE STREET SOUTH, LEGALLY DESCRIBED AS PART OF LOT 8, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MANAMAN CENTRE INC) - FILE Z-04/17			
i. Additional Permitted Uses:			
Notwithstanding Section 7.1, Table 7B to the contrary, the following uses shall also be permitted:			
a. mixed use buildings			
b. apartment buildings			
ii. Notwithstanding the Zone regulations of Section 7.2, Table 7D to the contrary, the following Zone Regulations shall apply:			
a) Maximum lot coverage – 35%			
b) Minimum front yard setback for a building oriented along Bronte Street South – 3 metres			
c) Maximum front yard setback for a building oriented along Bronte Street South– 10 metres			
d) Minimum exterior side yard setback for a building oriented along Louis Saint Laurent Avenue – 3 metres			
e) Maximum exterior side yard setback for a building oriented along Louis Saint Laurent Avenue – 10 metres			
f) Notwithstanding the Gross Floor Area requirements of Table 7D, the following regulations shall apply:			
i) Maximum Permitted Non-residential Gross Floor Area– 7,917 m <sup>2</sup>			
g) Maximum building height – 6 storeys to a maximum of 25 metres			
h) Maximum residential density – 185 units per hectare			
i) Minimum landscaped open space – 10%			
j) A landscape buffer abutting a public or private street line shall not be required			
k) Minimum landscape buffer abutting a residential zone – 1.25 metres			
iii. Special Zone Provisions			
a) Non-residential uses shall only be permitted on the first storey of a multi-storey mixed-use building.			

- b) Maximum length of a main wall shall not exceed 115 metres.
- c) Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 1.5 metres of a street line or lot line.
- d) Notwithstanding Section 5.8.1, Table 5E to the contrary, the parking requirement for an apartment building shall be a minimum of:
  - 1.0 spaces per 1 bedroom dwelling unit
  - 1.0 spaces per 1 bedroom plus den dwelling unit
  - 1.25 spaces per 2 bedroom dwelling unit
  - 1.25 spaces per 2 bedroom plus den dwelling unit plus 0.25 visitor parking spaces per dwelling unit.
- e) Notwithstanding Section 5.8.1, Table 5E to the contrary, the parking requirement for a mixed use building shall be a minimum of:
  - 1.0 spaces per 1 bedroom dwelling unit
  - 1.0 spaces per 1 bedroom plus den dwelling unit
  - 1.25 spaces per 2 bedroom dwelling unit
  - 1.25 spaces per 2 bedroom plus den dwelling unit
  - PLUS the Greater of 0.25 parking spaces per residential dwelling unit for visitor parking OR 1 parking space per 25 m<sup>2</sup> of GFA for the non-residential component in a mixed use building.
- f) Shared parking provision – Visitor parking associated with a residential use, and client parking associated with a permitted non-residential use, may be provided in any combination of a parking structure and a surface parking area and may be used for any combination of residential and permitted non-residential uses.
- g) Notwithstanding Section 5.1 ix), loading spaces and loading areas may be provided inside of a building;
- h) Section 4.18 iv, v & vii shall not apply.
- i) At grade patios are permitted for retail and restaurant uses facing an arterial road or a driveway.
- j) Notwithstanding Section 4.5, to the contrary, balconies are permitted in all yards.
- k) Notwithstanding Section 4.19.5 (i) (Table 4 H), mixed use buildings shall have the same encroachment permissions as apartment buildings.
- l) Notwithstanding Section 5.12 (Table 5L), the parking area may be setback 0.0 metres for the shared driveway on the west side of the subject lands that provides access to/from Louis St. Laurent.
- m) Minimum first storey height of a Mixed Use Building, measured from floor to floor shall be 4.0 metres.
- n) Notwithstanding Section 5.10, Table 5I to the contrary, the minimum Bicycle Parking Space requirement for residential dwelling units shall be:
  - 0.7 spaces per unit of Long Term Parking
  - 0.06 spaces per unit of Short Term Parking
- o) Notwithstanding Section 5.10, Table 5I to the contrary, the minimum Bicycle Parking Space requirement for non-residential uses shall be 3% of retail vehicle parking requirement.
- p) Notwithstanding Section 5.10, to the contrary, the terms “longterm” bicycle parking space and “short-term” bicycle parking space have the following meaning:
  - a. “long term” bicycle parking spaces are bicycle parking spaces for use by the occupants or tenants of a building and shall be located within a building or structure, a secure area such as a supervised parking lot or enclosure with a secure entrance, or bicycle lockers; and,
  - b. “short-term” bicycle parking spaces are bicycle parking spaces for use by visitors to the building, and shall be located within accessible and highly visible locations near the entrance of a building.
- q) Notwithstanding Section 5.10, Long Term Bicycle parking spaces shall:
  - a. Be located in an area dedicated to bicycle parking only; and
  - b. Not be located within a *dwelling unit*, on a *balcony* or in a general storage locker.

13.1.1.269	068-2019 075-2020	RMD1	*269
<p>PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST) LIMITED) –TOWN FILE: Z-19/14                      PART OF LOT 7 AND 8, CONCESSION 1, N.S. FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON MAIN STREET HOMES (MILTON ONE) LTD.) - File: Z-16/14</p>			
<p>i) Special Site Provisions Applicable to All Dwelling Types</p> <ol style="list-style-type: none"> <li>a. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.</li> <li>b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting public street, the reserve shall be deemed to constitute part of the lot for the purposes of calculating required setbacks only. Reserves used for such purposes must remain clear and unencumbered.</li> <li>c. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.</li> </ol> <p>ii) Notwithstanding any provisions to the contrary, for Detached Dwellings – Street Access (All Types) the following shall apply:</p> <ol style="list-style-type: none"> <li>a. In the case of a staggered double car garage:                             <ol style="list-style-type: none"> <li>i. One garage is permitted to have a minimum setback of 2.0 metres to the front lot line providing that the second garage has a minimum setback of 5.5 metres to the front lot line.</li> <li>ii. On lots having frontage less than or equal to 11.5 metres the driveway width shall not exceed 6.6 metres.</li> </ol> </li> <li>b. Notwithstanding Section 4.19.5, Table 4H, porches/verandas encroaching into the required interior side yard are permitted to be located 0.9 metres to the interior side lot line.</li> <li>c. Where located on top of a porch/veranda, balconies are permitted to encroach into the required interior side yard and shall be provided in accordance with b) above.</li> <li>d. Notwithstanding any regulation of this By-law to the contrary, on any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 metres from their intersection.</li> <li>e. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.</li> </ol> <p>iii) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Interior Lot:</p> <ol style="list-style-type: none"> <li>a. Lot frontage (minimum), interior lot – 9.15 metres</li> <li>b. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.</li> <li>c. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, provided the garage face does not project further than 1.83m beyond the porch.</li> <li>d. Second storey boxed/bay windows shall be permitted in a required interior side yard for interior lots adjacent to a corner lot on a roundabout.</li> </ol>			

- iv) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Corner Lot:
- a. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot.
  - b. Where a garage is accessed by a residential driveway crossing the exterior side lot line:
    - i. An attached garage may be located no closer than 0.6 metres from the rear lot line.
    - ii. Air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.
    - iii. Fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line, and the residential driveway.
  - c. At the intersection of two local public or private streets:
    - i. The outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
    - ii. No part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - d. Notwithstanding Section 6.3.1.1. iii) and iv), to the contrary, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation. Subsection v) shall continue to apply.
  - e. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, and the garage portion of the elevation may project no further than 1.83 metres beyond the dwelling face or porch/veranda portion of the elevation.
  - f. For the detached dwelling units that are located at the corner of Street A and the roundabout, the following additional provisions shall apply:
    - i. The yard abutting Street A shall be deemed to be the front yard;
    - ii. Minimum lot depth shall be measured along the interior lot line.
    - iii. Minimum Interior Side Yard Setback: 7.0 metres
    - iv. Minimum Rear Yard Setback to the dwelling (excluding the garage): 6.5 metres
    - v. A residential driveway can extend into a rear yard or interior side yard to access an attached garage, provided that the driveway does not extend beyond the garage face.
- v) Notwithstanding any provisions to the contrary, for Townhouse Dwellings – Street Access, the following shall apply:
- a. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide
  - b. At the intersection of two local public or private streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - c. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- vi) Notwithstanding any provisions to the contrary, for Townhouse Dwellings – Private Street, Rear Access, the following shall apply:
- a. For all lane-based townhouses, the yard where the driveway is located is deemed to be the rear yard.
  - b. Minimum Lot depth (all unit types): 18.0 metres
  - c. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide

- d. Minimum Rear Yard Setback (all unit types): 1.0 metre
- e. Notwithstanding Section vii) d. above, units with driveways abutting the inside or outside of a rounding or curve shall have a minimum rear yard setback of 0.6 metres.
- f. The minimum required outdoor amenity area per unit is 10 m<sup>2</sup>, to be provided on a balcony.
- g. Notwithstanding any provisions of the By-law to the contrary, in those instances where the front yard is included as part of a common element of a condominium, the minimum required front yard setback between a condominium dwelling unit and a common element shall be 0.0 metres.
- h. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
- i. For corner lots at the intersection of two street lines, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
- j. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
- k. Section 5.6.2 viii) b) shall not apply.
- l. Notwithstanding any provisions to the contrary, no visitor parking shall be required for a condominium block consisting entirely of rear access townhouse dwelling units, and only where each dwelling unit has frontage on a public street.

13.1.1.270	068-2019	RMD2	*270
PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST) LIMITED) –TOWN FILE: Z-19/14			
i) Notwithstanding any provisions to the contrary, for Back to Back Townhouse Dwellings the following shall apply: <ul style="list-style-type: none"> <li>a. Minimum Lot frontage (corner unit): 8.0 metres</li> <li>b. Minimum Front yard setback (all unit types): 2.0 metres to building</li> <li>c. Minimum Exterior yard setback (corner lot): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide.</li> <li>d. The minimum required outdoor amenity area per unit is 6 m<sup>2</sup>, to be provided on a balcony.</li> <li>e. Porches/verandas and balconies are permitted to be located no closer than 1.0 metre to a street line.</li> <li>f. For a corner unit at the intersection of two local public or private streets:                             <ul style="list-style-type: none"> <li>i. the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.</li> <li>ii. no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.</li> </ul> </li> <li>g. Notwithstanding Section 5.6.2 iv) d) A), a maximum driveway width of 3.5 metres shall be permitted for lots with frontage less than or equal to 6.5 metres.</li> <li>h. For units that do not have an interior side yard, air conditioning and heat exchange units may be located in a required front yard or required exterior side yard and are permitted to be located no closer than 0.6 metres to a lot line.</li> <li>i. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.</li> </ul>			

<b>13.1.1.271</b>	068-2019	MU	<b>*271</b>
PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST) LIMITED) –TOWN FILE: Z-19/14			
<p>i) Special Site Provisions:</p> <ul style="list-style-type: none"> <li>a. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.</li> <li>b. Notwithstanding the Zoning Regulations of Table 6F, the maximum main wall length shall be 75 metres.</li> <li>c. Notwithstanding the Zoning Regulations of Table 6F, balconies oriented toward an arterial road are permitted above 3 metres from established grade.</li> <li>d. Notwithstanding the Zoning Regulations of Table 6F, the first storey height, measured from floor to floor, for residential buildings and residential portions of mixed-use buildings shall be a minimum of 3.5 metres.</li> <li>e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0 metres of a private street line</li> </ul>			

<b>13.1.1.272</b>	068-2019	I-A	<b>*272</b>
PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST) LIMITED) –TOWN FILE: Z-19/14			
<p>Notwithstanding Section 4.19.4, 4.20.4 and Section 9.2, Table 9B to the contrary, for an elementary school in the Minor Institutional (I-A*272) Zone, the following shall apply:</p> <p>i) Zone Standards:</p> <ul style="list-style-type: none"> <li>a. Maximum Total Building Height: 16.5 metres</li> <li>b. Landscape Buffer Abutting a Street: 2.5 metres</li> </ul> <p>ii) Special Site Provisions:</p> <ul style="list-style-type: none"> <li>a. Notwithstanding Section 5.11 to the contrary, no more than one (1) loading space shall be required.</li> <li>b. Notwithstanding Section 5.1 ii) to the contrary, parking spaces required by this by-law for the elementary school are permitted to be located on the adjacent neighbourhood park block in accordance with the terms of the agreement executed by the Town of Milton and the applicable School Board.</li> </ul>			

<b>13.1.1.273</b>	081-2019	RMD1	<b>*273</b>
PART OF LOT 6, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (PRIMONT HOMES (MILTON) INC.) - File: Z-06/14			
<p>i) Special Site Provisions Applicable to all Grade Related Dwelling Type</p> <ul style="list-style-type: none"> <li>a. Notwithstanding the definition of lot frontage in Section 3, for the purposes of calculating lot frontage, the lot frontage shall be measured 5.5 metres back from the front lot line.</li> <li>b. Notwithstanding section 5.6.2 iv) (a) the minimum individual driveway width shall be 3.10 metres each with an allowed structural wall/post projection of a maximum 1.0 metre from the garage face into the required driveway width provided that a minimum unobstructed parking width of 2.90 metre is maintained at the encroachment.</li> </ul>			

<p>c. In addition to Section 4.19.6 i), for the purposes of determining yards for corner lots with corner daylight radii or daylight triangle, the daylight radii or daylight triangle is deemed not to exist.</p> <p>ii) Zone Standards for Detached Dwellings</p> <p>a. Minimum Lot Frontage, Interior Lot – 9.15 metres</p> <p>b. Minimum Rear Yard Setback for Lots 7, 30, 31, 46, 57, 60-63, 68, 92-95 and 103 on the draft plan 24T-14004/M dated in the title box as June 24, 2019 – 6.5 metres</p> <p>c. Notwithstanding the Zone Regulations of Section 6.3.1.1 iii) -iv), the dwellings on lots 9-15, 18-23, 30-33, 35, 36, 38-40, 48, 49, 52-54, 72-79, 93-99, 104-106 on the draft plan 24T-14004/M dated in the title box as June 24, 2019, shall have a minimum dwelling face, which may include the porch/veranda, of 3.4 metres provided that not more than 62.5% of the building face is used for the garage portion of the elevation.</p> <p>d. Within a double car garage accessed by one single garage door or two individual garage doors, the combined parking spaces shall have a minimum unobstructed size of 5.5 metre wide by 5.3 metre long by 2.1 metre high.</p> <p>e. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot with the following clarifications:</p> <p>i. The longest lot line not abutting a street is deemed the rear lot line; and</p> <p>ii. The front and exterior side yard setbacks as well as lot frontage and lot depth shall be measured to the hypothetical extensions of the respective lot lines.</p> <p>iii) Zone Standards for Townhouse Dwellings</p> <p>a. Notwithstanding Table 6C, Footnote #2 shall be applied to Townhouse Dwellings.</p> <p>b. Minimum rear yard setback excluding the garage for Block 141 on the draft plan 24T-14004/M dated in the title box as June 24, 2019 – 6.5 metres</p>
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13.1.1.274	081-2019	RMD2	*274
PART OF LOT 6, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (PRIMONT HOMES (MILTON) INC.) - File: Z-06/14			
<p>i) Zone Standards for Back-To-Back Townhouse Dwellings</p> <p>Notwithstanding any provisions to the contrary, for Back to Back Townhouse Dwellings, the following shall apply:</p> <p>a. Minimum Front Yard Setback to Building – 3.0 metres</p> <p>b. Notwithstanding Table 6D, Footnote #2 shall be applied to Back-to-Back Townhouse Dwellings.</p> <p>c. Notwithstanding Section 4.19.5 i), Stairs shall be located a minimum of 0.9 metres away from the property line measured to the first riser, with no part of the landing any closer than 1.5 metres from the property line.</p> <p>d. Notwithstanding Section 6.3.2.1, air conditioners and heat exchange units may also be located in a front yard or exterior side yard, as well as located on a balcony in the front or exterior side yard.</p> <p>e. Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of two (2) local public streets, no part of any residential driveway shall be located closer than 4.5 metres from the point of intersection of the two local street lines.</p>			



<b>13.1.1.275</b>	081-2019	MU	<b>*275</b>
PART OF LOT 6, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (PRIMONT HOMES (MILTON) INC.) - File: Z-06/14			
<p>i) Special Zone Standards for Residential and Mixed Use Buildings</p> <ul style="list-style-type: none"> <li>a. Setbacks to All Other Zones and Grade-Related Dwellings: <ul style="list-style-type: none"> <li>1. Above 10.5 metres in height, not abutting grade-related dwellings – 7.5 metres</li> <li>2. No part of any building abutting grade-related dwelling unit(s) may project above a 45 degree angular plane measured at a height of 10.5 metres and a distance of 7.5 metres from the abutting lot line</li> <li>3. For buildings abutting grade related dwelling unit(s) where there is no property line, 7.5 metres plus the typically required yard setback for the grade related dwelling unit(s) is required.</li> </ul> </li> <li>b. Podium – A 2-4 storey podium is required.</li> <li>c. Stepback - A step back in the building above the podium is required.</li> <li>d. Transition - For a building located within 50 metres of Britannia Road and located directly adjacent to an NHS Zone, the building will transition down in height towards the NHS zone boundary.</li> <li>e. For any building located directly adjacent to an NHS Zone and which the longest building façade directly faces a NHS Zone, the provisions for a podium and stepback will not apply.</li> <li>f. Maximum building height – 10 storeys to a maximum of 35.0 metres.</li> </ul>			

<b>13.1.1.276</b>	110-2019	I-A	<b>*276</b>
PART LOT 9, CONCESSION 6, NEW SURVEY, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY KNOWN AS 6566 SIXTH LINE (RADHA SOAMI SOCIETY BEAS-CANADA) – TOWN FILE Z-03/19			
<p>i) Only Permitted Use: Place of Worship</p> <p>ii) Special Site Provisions:</p> <ul style="list-style-type: none"> <li>a) Notwithstanding the requirements of Section 5.1 x), 5.6.1 ii) Table 5B and 5.8.2 ii) Table 5G to the contrary, the following site specific provisions shall apply: <ul style="list-style-type: none"> <li>a. the required parking spaces may have a gravel or grassed surface treatment with a minimum of 40 spaces having a gravel surface and the required disabled parking spaces having a hard surface treatment;</li> <li>b. the driveway access may be gravel surface treatment with the exception of the first 30 metres adjacent to Sixth Line which shall have an asphalt surface treatment, and the driveway access shall have a minimum width of 6.0 metres and maximum width of 7.5 metres; and</li> <li>c. a minimum of 375 parking spaces shall be provided on site and within the lands zoned I-A*276.</li> </ul> </li> </ul> <p>iii) The maximum floor area of the place of worship (excluding basement) shall not exceed 1350 square metres or an occupant load of 1500 persons in accordance with the Building Code Act.</p>			

<b>13.1.1.277</b>	075-2020	RMD1	<b>*277</b>
PART OF LOT 7 AND 8, CONCESSION 1, N.S. FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON MAIN STREET HOMES (MILTON ONE) LTD.) - File: Z-16/14			
Notwithstanding any provision of the by-law to the contrary, for lands zoned Site Specific Residential Medium Density 1 *277 (RMD1*277) Zone, the following special provisions apply:			
i) Zone Standards for Dwellings Located Adjacent to a Walkway:			
a. Where the side yard of a detached dwelling is located adjacent to a walkway, the minimum required interior side yard setback adjacent to the walkway shall be 2.3 m.			
<b>13.1.1.278</b>	084-2020	I-B	<b>*278</b>
PART OF LOT 8, CONCESSION 4, (NS) FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON CATHOLIC DISTRICT SCHOOL BOARD) FILE: Z-08/18			
i. A minimum parking ratio of 3.06 parking spaces per classroom shall be provided.			
ii. Notwithstanding anything to the contrary, a secondary school may be erected, used or occupied with an interim stormwater outlet grading and drainage design.			
iii. Notwithstanding anything to the contrary, no more than one (1) loading space shall be required.			
<b>13.1.1.279</b>	081-2020	RLD1	<b>*279</b>
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B to the contrary, the following provisions shall apply:			
i) Zone Standards			
a) Minimum <i>Front Yard</i> : 6.0 m			
<b>13.1.1.280</b>	081-2020	RLD1	<b>*280</b>
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B to the contrary, the following provisions shall apply:			
ii) Zone Standards			
b) Minimum <i>Front Yard</i> : 6.5 m			
<b>13.1.1.281</b>	081-2020	RLD1	<b>*281</b>
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B to the contrary, the following provisions shall apply:			
iii) Zone Standards			
c) Minimum <i>Front Yard</i> : 8.0 m			

13.1.1.282	024-2021	RLD1	*282
PART OF LOT 14, CONCESSION 2, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR AND MUNICIPALLY IDENTIFIED AS 79 MARTIN STREET, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (2689319 ONTARIO CORPORATION) – FILE: Z-06/20			
<p>Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential Low Density 282 (RLD*282), the following standards and provisions shall apply:</p> <ul style="list-style-type: none"> <li>i) Additional Permitted Uses                             <ul style="list-style-type: none"> <li>a) <i>Office building</i></li> <li>b) <i>Office uses</i></li> </ul> </li> <li>ii) Zone Standards                             <ul style="list-style-type: none"> <li>a) The regulations found in Section 6.2, Table 6B for a <i>detached dwelling</i> shall apply to an <i>office building</i>.</li> </ul> </li> <li>iii) Special Site Provisions                             <ul style="list-style-type: none"> <li>a) The total <i>gross floor area</i> for all <i>office uses</i> shall not exceed 383 square metres.</li> <li>b) A minimum of 1 parking space per 47 square metres of gross floor area of the office use/building shall be provided on site.</li> </ul> </li> </ul>			

13.1.1.283	025-2021	RMD1*283	*283
PART OF LOT 7, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY BROWNRIDGE LIMITED) – FILE: Z-01/20			
<p><b>Residential Medium Density 1 - Special Section 283 (RMD1*283) Zone</b></p> <ul style="list-style-type: none"> <li>i) <u>Special Site Provisions Applicable to All Dwelling Types</u></li> <li>ii) Notwithstanding any provisions to the contrary, for <u>Detached Dwelling – Street Access</u> (All Types) the following shall apply:                             <ul style="list-style-type: none"> <li>a. In the case of a staggered double car garage:                                     <ul style="list-style-type: none"> <li>i. One garage is permitted to have a minimum setback of 2.0 metres to the front lot line providing that the second garage has a minimum setback of 5.5 metres to the front lot line.</li> <li>ii. On lots having frontage less than or equal to 11.5 metres the driveway width shall not exceed 6.6 metres.</li> </ul> </li> <li>b. Notwithstanding Section 4.19.5, Table 4H, porches/verandas encroaching into the required interior side yard are permitted to be located 0.9 metres to the interior side lot line.</li> <li>c. Where located on top of a porch/veranda, balconies are permitted to encroach into the required interior side yard and shall be provided in accordance with b) above.</li> <li>d. Notwithstanding any regulation of this By-law to the contrary, on any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 metres from their intersection.</li> </ul> </li> </ul>			

- e. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- iii) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Interior Lot:
- a. Lot frontage (minimum), interior lot – 9.15 metres
  - b. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.
  - c. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, provided the garage face does not project further than 1.83m beyond the porch.
- iv) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Corner Lot, the following shall apply:
- a. For the lot at the southeast corner of Street B and Fourth Line (Beaty Heritage House), the following provisions shall apply:
    - i. The lot line abutting Street B shall be the front lot line.
  - b. Where a garage is accessed by a residential driveway crossing the exterior side lot line:
    - i. An attached garage may be located no closer than 0.6 metres from the rear lot line.
    - ii. Air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.
    - iii. Fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line, and the residential driveway.
  - c. At the intersection of two local streets:
    - i. The outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
    - ii. No part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - d. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.
  - e. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, and the garage portion of the elevation may project no further than 1.83 metres beyond the dwelling face or porch/veranda portion of the elevation.
  - f. For the purposes of this By-law, where the front, exterior side, or rear lot line of a corner lot has a curved radius or a visibility triangle, for the purposes of determining lot frontage, depth, and setbacks, the radius or triangle shall be deemed not to exist

	and the lot frontage, depth, and setbacks will be measured to a projected extension of the straight segment.
v)	Notwithstanding any provisions to the contrary, for <u>Townhouse Dwelling – Street Access</u> , the following shall apply: <ul style="list-style-type: none"> <li>a. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide</li> <li>b. At the intersection of two local streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.</li> <li>c. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.</li> </ul>

13.1.1.284	025-2021	RMD1*284	*284
PART OF LOT 7, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY BROWNRIDGE LIMITED) – FILE: Z-01/20			
<b>Residential Medium Density 2 - Special Section 284 (RMD2*284) Zone</b>			
i)	Notwithstanding any provisions to the contrary, for <u>Back to Back Townhouse Dwellings</u> , the following shall apply: <ul style="list-style-type: none"> <li>a. Minimum Lot frontage (corner unit): 8.0 metres</li> <li>b. Minimum Front yard setback (all unit types): 2.0 metres to building</li> <li>c. Minimum Exterior yard setback (corner lot): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide.</li> <li>d. The minimum required outdoor amenity area per unit is 6 m<sup>2</sup>, to be provided on a balcony.</li> <li>e. Porches/verandas and balconies are permitted to be located no closer than 1.0 metre to a street line.</li> <li>f. For a corner unit at the intersection of two local streets:                 <ul style="list-style-type: none"> <li>i. the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.</li> <li>ii. no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.</li> </ul> </li> <li>g. Notwithstanding Section 5.6.2 iv) d) A), a maximum driveway width of 3.5 metres shall be permitted for lots with frontage less than or equal to 6.5 metres.</li> <li>h. For units that do not have an interior side yard, air conditioning and heat exchange units may be located in a required front or exterior side yard and are permitted to be located no closer than 0.6 metres to a front or exterior side lot line.</li> <li>i. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.</li> <li>j. For the purposes of this By-law, where the front or exterior side lot line of a corner lot has a curved radius or a visibility triangle, for the purposes of determining lot frontage, depth, and setbacks, the radius or triangle shall be deemed not to exist and the lot frontage, depth, and setbacks will be measured to a projected extension of the straight segment.</li> </ul>		

13.1.1.285	054-2021	CBD-B	*285
<p>PART OF LOT 14, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR AND MUNICIPALLY IDENTIFIED AS 28, 60 AND 104 BRONTE STREET NORTH, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-07/18)  <b>OLT CASE NO. OLT-21-001210</b></p>			
<p>Notwithstanding any provisions of the By-law to the contrary, for the lands zoned Secondary Commercial Zone with Special Provision 285 (CBD-B*285), the following standards and provisions shall apply.</p> <p>i. <b>Additional Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a. Guest Suite</li> <li>b. Mixed Use Building</li> </ul> <p>ii. <b>Definitions:</b></p> <p>For the purpose of this these special provisions, the following definitions shall apply:</p> <ul style="list-style-type: none"> <li>a. FLOOR PLATE AREA means the gross horizontal floor area of a single floor measured from all the exterior walls of a building or structure excluding balconies.</li> <li>b. LONG TERM BICYCLE PARKING means bicycle parking spaces located within the building for the use by occupants or tenants of a building.</li> <li>c. SHORT TERM BICYCLE PARKING means bicycle parking spaces for use by visitors to a building.</li> <li>d. GUEST SUITE means a room within an apartment building that is not connected to any individual apartment dwelling unit, but which includes bedroom and bathroom space that can be used by visitors to the apartment building as overnight temporary accommodation and it shall not include a kitchen.</li> <li>e. PODIUM means the base of a building above grade and up to maximum of 6 storeys in height, and located below the tower.</li> <li>f. TOWER means the portion of the building above the podium.</li> </ul> <p>iii. <b>Special Site Provisions:</b></p> <p>Notwithstanding any provisions to the contrary; the following special provisions shall apply:</p> <ul style="list-style-type: none"> <li>a. More than one (1) residential <i>building</i> is permitted on a <i>lot</i>.</li> <li>b. Bronte Street North shall be deemed the <i>front lot line</i>.</li> <li>c. The maximum building <i>height</i>, as shown Schedule C to this By-law shall be: <ul style="list-style-type: none"> <li>(i) Building 'A': 18 storeys and 58 metres; and</li> </ul> </li> </ul>			

(ii) Building 'B': 17 storeys and 54 metres.

- d. The building *podium* shall have a minimum *height* of 3 *storeys* and a maximum *height* of 6 *storeys*.
- e. Any portion of a *building* between a *height* of 8 *storeys* and 15 *storeys* shall not exceed a *tower floor plate area* of 1,000 square metres.
- f. Any portion of a *building* above a *height* of 15 *storeys* shall not exceed a *tower floor plate area* of 750 square metres or a *tower floor plate* of 40 metres measured diagonally.

Notwithstanding the forgoing, the 16<sup>th</sup> and 17<sup>th</sup> floor of Building 'B', as shown on Schedule C to this By-law, may have a maximum *tower floor plate area* of 770 square metres or a *tower floor plate* of 42 metres measured diagonally.

- g. Where there is more than one *apartment building*, the minimum separation between *towers* shall be 50 metres measured from the main face of the *building*, excluding *balconies*.
- h. The minimum *setback* of a *tower* from the *exterior side lot line* (Main Street West) shall be 18 metres, as shown on Schedule C to this By-law.
- i. The maximum number of residential *dwelling units* shall be 510.
- j. A minimum of 1000 square metres of commercial *gross floor area* and a minimum of 800 square metres of office *gross floor area* shall be provided on the first and/or second *storey*.
- k. A minimum of 3.8 square metres per *dwelling unit* of outdoor communal *amenity space* shall be provided at *grade* and/or as a rooftop *amenity area* on the *podium* and shall be maintained and operated by a common entity (such as a condominium corporation). This outdoor communal *amenity space* shall be aggregated into areas of not less than 50 square metres and have a minimum width of 6.0 metres.
- l. The following minimum off-street *parking spaces* shall be required:

(i) Residential Parking

1.0 *parking spaces* per *dwelling unit* plus

0.25 visitor *parking spaces* per *dwelling unit*;

(ii) Commercial Parking

1.0 *parking space* per 20 square metres of *gross floor area*.

(iii) Office Parking

1.0 *parking spaces* per 30 square metres of *gross floor area*.

(iv) Shared Parking Provision

Notwithstanding anything to the contrary, the greater of 0.25 residential visitor parking spaces per dwelling unit **or** 1 parking space per 20 square metres of commercial gross floor area and 1 parking spaces per 30 square metres of office gross floor area shall be required.

- m. The following minimum bicycle parking spaces shall be required:
  - (i) *Long Term Bicycle Parking Spaces*: 430
  - (ii) *Short Term Bicycle Parking Spaces*: 35
- n. The *parking area* may be setback a minimum of 1.2 metres from a support column.
- o. A below grade parking structure may be located within a minimum of:
  - (i) 0.0 metres from the Main St West *street line* and the *interior side lot line*;
  - (ii) 2.0 metres from the Bronte Street North *street line*; and
  - (iii) 0.75 metres from the Bronte Street North *street line*, within the portion of the lot legally know as Part 4 on Registered Plan 20R-13880 and municipally known as 60 Bronte Street North.
- p. A *Guest Suite* does not constitute a *dwelling unit* and shall not be included for the purposes of calculating minimum required parking or maximum *dwelling units*.
- q. The minimum *front yard setback* shall be 3.0 metres and no maximum *front yard setback* shall apply.
- r. The maximum *lot coverage* shall be 35% of the lot area.
- s. All waste storage areas shall be located within the principal building.
- t. An accessible ramp shall be setback a minimum of 0.9 metres from the *front lot line*.
- u. A rooftop amenity area shall be setback a minimum of 2.0 metres from an ornamental roof projection or the main wall of the building of the floor beneath it, whichever is closer to the Bronte St. N. lot line. This provision shall not apply to rooftop amenity areas located beyond 12 metres of the Bronte St. N. lot line.



13.1.1.286	040-2021	RMD1*286	*286
PART OF LOT 7 AND 8, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (1045502 ONTARIO LIMITED AND 1048605 ONTARIO LIMITED) – TOWN FILE: Z-18/14			
<b>Residential Medium Density I - Special Section 286 (RMDI*286) Zone</b>			
Notwithstanding any provisions of the By-Law to the contrary, for lands zoned Residential Medium Density I*286 (RMDI*286) the following standards and provisions also apply:			
i) Special Residential Provisions under Section 6.3 only apply to Detached Dwellings.			
ii) Special Zone Standards:			
a) The minimum interior lot frontage shall be 9.15 metres;			
b) Air Conditioners and Heat Pumps:			
<p>On a corner lot, where an attached garage is accessed over the exterior side lot line, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however, such units are not permitted to encroach into the exterior side yard.</p>			
iii) Special Zone Standards for “Through Lots”:			
a) The minimum interior lot frontage shall be 9.4 m;			
b) For lots located in between the Village Square and/ or the Active Transportation Link Blocks and Street “R”, in between Louis St. Laurent and Street “C”, in between Savoline Boulevard and Street “R” and in between Savoline Boulevard and Street ‘C”, the yard adjacent to Street “R” and Street “C” shall be considered the rear yard;			
c) The maximum Front Yard setback shall be 3.0 m to the main wall of the dwelling;			
d) The maximum height will be 12.5 metres;			
e) A residential driveway may extend into the rear yard.			

13.1.1.287	040-2021	RMD2*287	*287
PART OF LOT 7 AND 8, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (1045502 ONTARIO LIMITED AND 1048605 ONTARIO LIMITED) – TOWN FILE: Z-18/14			
<b>Residential Medium Density II - Special Section 287 (RMD2*287) Zone</b>			
Notwithstanding any provisions of the By-Law to the contrary, for lands zoned Residential Medium Density 2*287 (RMD2*287) the following standards and provisions also apply:			
i) Special Zone Standards for ‘Back to Back’ Townhouse Dwellings:			
a) The minimum lot depth for a back-to-back townhouse dwelling shall be 12.5 m;			
b) The minimum front yard setback to building shall be 2.0 metres;			

c)	The minimum exterior side yard setback to building shall be 2.0 metres if the yard abuts a right-of-way of less than 18.0 metres wide.
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13.1.1.288	039-2021	RHD*288	*288
PART OF LOT 9, CONCESSION 4, NEW SURVEY, GEOGRAPHIC TOWNSHIP OF TRAFALGAR AND MUNICIPALLY IDENTIFIED AS 981 AND 995 THOMPSON ROAD SOUTH AND 1001 KENNEDY CIRCLE, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON THOMPSON ROAD DEVELOPMENTS LIMITED) – TOWN FILE: Z-05/20			
Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential High Density (RHD*288), the following standards and provisions shall apply:			
A. Special Site Provisions			
1) For the purposes of this by-law, the lands zoned site specific Residential High Density (RHD*288) are to be considered one lot.			
2) For the purposes of this by-law, Thompson Road South shall be deemed the front lot line.			
3) For the lands zoned Residential High Density (RHD*288) the following additional special site provisions shall apply:			
a) The maximum number of dwelling units shall be 148 units.			
b) Notwithstanding Section 6.2, Table 6E, the minimum front yard setback shall be 4.5 metres			
c) Notwithstanding Section 6.2, Table 6E, the minimum interior side yard setback shall be 11 metres			
d) Notwithstanding Section 6.2, Table 6E, the minimum exterior side yard setback shall be 5.8 metres			
e) Notwithstanding Section 5.12, Table 5L, the minimum parking area setback to all other lot lines shall be 1.5 metres above-grade and 3 metres below-grade.			
f) Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirement for apartment buildings shall be 1.22 spaces per unit, plus 0.25 spaces per unit for visitor parking.			
g) Notwithstanding Section 5.10, Table 5I, a minimum of 157 bicycle parking spaces, including a minimum of 8 short-term visitor bicycle parking spaces and a minimum of 149 long-term secure bicycle parking spaces shall be provided.			

13.1.1.289	041-2021	RO*289	*289
BLOCK 155, REGISTERED PLAN 20M-1191 IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (GULFBECK DEVELOPMENTS INC) – TOWN FILE: Z-11/20			
For lands zoned Residential Office (RO*289) the following provisions also apply:			
<p><b>i) Special Zone Provisions:</b></p> <ul style="list-style-type: none"> <li>a) Notwithstanding Table 6E, minimum lot frontage for an apartment building within the RO zone shall be 45 m;</li> <li>b) Notwithstanding Table 6E, maximum lot coverage for an apartment building within the RO zone shall be 37%;</li> <li>c) Notwithstanding Table 6E, minimum front yard setback for an apartment building within the RO zone shall be 2.3 m;</li> <li>d) Notwithstanding Table 6E, minimum rear yard setback shall be 10.5 m;</li> <li>e) Notwithstanding Table 6E, maximum floor space index for apartment building within the RO zone shall be 2.2 floor space index;</li> <li>f) Notwithstanding Table 5L, the minimum parking area setback from a street line shall be 2.4 m;</li> <li>g) Notwithstanding Table 5L, the minimum parking area setback from a lot line shall be 2.0 m;</li> <li>h) Notwithstanding Table 5L, the minimum parking area setback from a building shall be 1.8 m;</li> <li>i) Notwithstanding Section 5.14.1 and Section 5.12 (Table 5L) the underground parking structure may be setback a minimum of 0.1 m to any street line and shall encroach into the landscape buffer;</li> <li>j) Notwithstanding Section 5.1 iv), vii) and Section 5.7, 14 Tandem parking spaces are permitted in the underground parking structure and shall be counted toward required amount of resident parking for the site;</li> <li>k) Notwithstanding Section 5.10 and Table 5D, Stacked Bicycle Parking Spaces are permitted and shall be counted toward the required amount of resident bicycle parking spaces and have a minimum vertical clearance of 1.2m</li> <li>l) Notwithstanding Section 5.11.1, a loading space shall be located min 2.0 metres from the abutting residential zone and min 3.6 metres from a street line.</li> </ul>			

13.1.1.290	056-2021	RMD2*290	*290
PART OF LOTS 7 AND 8, CONCESSION 1, NEW SURVEY, GEOGRAPHIC TOWNSHIP OF TRAFALGAR, AND MUNICIPALLY IDENTIFIED AS 555 BESSBOROUGH DRIVE, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON MAIN STREET HOMES LIMITED) – TOWN FILE: Z-14/20			
Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential Medium Density 2 (RMD2*290), the following standards and provisions shall apply:			
<p><b>A. Special Site Provisions Applicable to All Dwelling Types</b></p> <ul style="list-style-type: none"> <li>1) For the purposes of this by-law, a “lot” is a Parcel of Tied Land for a Common Element Condominium.</li> </ul>			

- 2) Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.
  - 3) Notwithstanding the provisions of Section 4.19.5 or any other provision of this By-law to the contrary, stairs and walkways on grade shall be permitted in any required yard and to encroach to all lot lines.
  - 4) Notwithstanding the provisions of Section 6.3.3.2 or any other provision of this By-law to the contrary, balconies are permitted in a required front yard and in a required rear yard to a maximum of 2.5 metres provided a minimum of 1.0 metres is maintained from the lot line.
  - 5) Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of two streets, no part of any residential driveway shall be located closer than 3.9 metres from the point of intersection of the two local streets.
  - 6) For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage of a public street.
- B. Notwithstanding any provisions to the contrary, for back-to-back townhouse dwellings, the following shall apply:
- 1) Minimum front yard setback shall be 3.0 metres
  - 2) Minimum lot frontage for a corner unit shall be 6.5 metres
  - 3) Minimum exterior side yard setback shall be 1.2 metres
  - 4) The maximum building height shall be 13.0 metres
- C. Notwithstanding any provisions to the contrary, for Townhouse Dwellings - Private Street, Rear Access, the following shall apply:
- 1) For all lane-based townhouses, the yard where the driveway is located is deemed to be the rear yard.
  - 2) Minimum lot depth shall be 19.5 metres
  - 3) Minimum front yard setback shall be 2.5 metres with the exception of the two most easterly lots fronting onto Louis St. Laurent Avenue which shall be 2.0 metres
  - 4) Minimum rear yard setback shall be 1.5 metres.
  - 4a) Minimum exterior side yard setback for the most easterly lot fronting onto Louis St. Laurent Avenue shall be 0.0 metres.
  - 5) Minimum lot frontage shall be as follows;

<p>6) Interior unit shall be 4.2 metres</p> <p>7) End unit shall be 6.2 meters</p> <p>8) Corner Lot shall be 7.2 meters</p> <p>9) The maximum building height shall be 13.0 metres</p> <p>D. Notwithstanding any provisions to the contrary, for Townhouse Dwellings - Private Street, the following shall apply:</p> <p>1) Minimum front yard setback shall be 4.3 metres</p> <p>2) Minimum lot frontage shall be as follows;</p> <p>a) Corner unit shall be 5.5 metres</p> <p>b) Interior unit shall be 5.8 metres</p> <p>c) End unit shall be 7.5 meters</p> <p>3) Minimum exterior side yard setback shall be 1.7 metres</p> <p>4) The maximum building height shall be 13.0 metres</p>
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<b>13.1.1.291</b>	043-2021	RMD1*291	<b>*291</b>
PART OF LOT 6, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MIL CON THREE DEVELOPMENTS LIMITED) – TOWN FILE: Z-09/20			
<b>Residential Medium Density 1 – Special Provision 291 (RMD1*291) Zone</b>			
Notwithstanding the provisions of the Zoning By-law to the contrary, the following zone standards shall apply:			
i) Zone Standards:			
a. Minimum Lot Frontage (Interior Lot) – 9.15 metres			

<b>13.1.1.292</b>	058-2021	EMP1*292	<b>*292</b>
LANDS MUNICIPALLY IDENTIFIED AS 0, 6390-6400 AND 6548 FIFTH LINE AND LEGALLY DESCRIBED AS PART OF LOTS 7, 8, AND 9, CONCESSION 5, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, THE TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-02/20)			
Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Prestige Office *292 (EMP1*292), the following standards and provisions shall apply:			

A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following additional uses shall be permitted:

- 1) *Banquet Facility*
- 2) *Convention Centre*
- 3) *Hotel*
- 4) *Place of Assembly*
- 5) *Place of Entertainment*
- 6) *Speciality Food Store, in the first storey of an Office Building*
- 7) *Theatre*

B. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following additional uses shall not be permitted:

- 1) *Day Care Centre*

C. Special Site Provisions

- 1) For the lands zoned Prestige Office \*292 (EMP1\*292) the following additional special site provisions shall apply:
  - a) Notwithstanding Section 8.1 –Table 8A Footnote (\*8), a *Research & Technology Use* shall only be permitted where such use does not produce biomedical waste.
  - b) Notwithstanding Footnote (\*10) of Table 8A, Section 8.1, a maximum of two standalone restaurants are permitted at the intersection of James Snow Parkway and Louis St. Laurent provided each *Restaurant* has a minimum *Gross Floor Area* of 500 square metres.
  - c) Notwithstanding Section 8.2, Table 8B, the minimum *Gross Floor Index* shall be 0.5.
  - d) Notwithstanding Section 8.2, Table 8B, the minimum *Building Height* shall be two *Storeys*.
  - e) Parking shall not be permitted between the *Building* and the *Street*.
  - f) Notwithstanding Section 8.2, Table 8B, the maximum *Front Yard Setback* shall be 16.0 metres.
  - g) Notwithstanding Section 8.2, Table 8B, the maximum *Exterior Side Yard Setback* shall be 15.0 metres.
  - h) Notwithstanding Sections 4.19.1 ii) b), 5.1 iii) and 5.6.1 i), connection to a street

may be provided by *Private Streets* and driveways located on adjacent lots.

13.1.1.293	058-2021	M1*293	*293
<p>LANDS MUNICIPALLY IDENTIFIED AS 0, 6390-6400 AND 6548 FIFTH LINE AND LEGALLY DESCRIBED AS PART OF LOTS 7, 8, AND 9, CONCESSION 5, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, THE TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-02/20)</p>			
<p>Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Business Park *293 (M1*293), the following standards and provisions shall apply:</p>			
<p>A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, only the following uses shall be permitted:</p> <ol style="list-style-type: none"> <li>1) <i>Industrial Use</i></li> <li>2) <i>Medical Clinic</i></li> <li>3) <i>Office Building</i></li> <li>4) <i>Office Use</i></li> <li>5) <i>Research &amp; Technology Use</i>, excluding uses which produce biomedical waste</li> <li>6) <i>Restaurant</i></li> <li>7) <i>School, Adult Education</i></li> <li>8) <i>Warehouse/Distribution Centre</i></li> <li>9) <i>Wholesale Operation</i></li> </ol> <p>B. Special Site Provisions</p> <ol style="list-style-type: none"> <li>1) For the lands zoned Business Park (M1*293) the following additional special site provisions shall apply:                     <ol style="list-style-type: none"> <li>a) Notwithstanding section 13.1.1.293.A above, a <i>Restaurant</i> shall only be permitted as part of an <i>Industrial Use</i>, <i>Warehouse/Distribution Centre</i>, or <i>Wholesale Operation</i>, and shall not be permitted as part of an <i>Industrial Mall</i>.</li> <li>b) Notwithstanding Section 5.12, Table 5L, <i>Parking Areas</i> can be setback 0.0 metres from the property line when located adjacent to shared access private driveway.</li> <li>c) Notwithstanding anything to the contrary, accessory service, wholesale and retail associated with an <i>Industrial Use</i>, <i>Warehouse/Distribution Centre</i> or a <i>Wholesale Operation</i> shall be permitted provided that the retail area does not exceed 15% or 480 square metres of the <i>Gross Floor Area</i> of the premises, which ever is less.</li> <li>d) Notwithstanding Section 5.8.2, Table 5G, the minimum off-street parking</li> </ol> </li> </ol>			

<p>requirements for an <i>Industrial Use</i> shall be provided as follows:</p> <ul style="list-style-type: none"> <li>i. Parking is calculated for each individual industrial and warehouse/distribution premises, including accessory office space, as follows: <ul style="list-style-type: none"> <li>a) For the first 5,000 m<sup>2</sup> of gross floor area, 1 parking space per 100 m<sup>2</sup> of gross floor area shall be provided; and</li> <li>b) Gross floor areas greater than 5000 m<sup>2</sup> shall provide 1 parking space per 200 m<sup>2</sup> of gross floor area.</li> </ul> </li> <li>ii. Notwithstanding any provisions of the By-law to the contrary, accessory retail and showroom uses associated with an <i>Industrial Use</i>, <i>Warehouse/Distribution Centre</i> or a <i>Wholesale Operation</i> shall be included within the above noted calculations.</li> </ul> <ul style="list-style-type: none"> <li>e) Notwithstanding Section 8.2, Table 8B, a maximum <i>Building Height</i> of 27.5 metres shall be permitted.</li> <li>f) Notwithstanding Section 8.2, Table 8B, the minimum <i>Landscaped Open Space</i> shall be 7.5%.</li> <li>g) Notwithstanding Section 8.2, Table 8B, all <i>Buildings</i> must be <i>Setback</i> a minimum 23.5 metre from the centreline of Fifth Line.</li> </ul>
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13.1.1.294	058-2021	M1*294	*294
<p>LANDS MUNICIPALLY IDENTIFIED AS 0, 6390-6400 AND 6548 FIFTH LINE AND LEGALLY DESCRIBED AS PART OF LOTS 7, 8, AND 9, CONCESSION 5, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, THE TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-02/20)</p>			
<p>Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Business Park *294 (M1*294), the following standards and provisions shall apply:</p> <p>A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, only the following shall be the only uses permitted:</p> <ul style="list-style-type: none"> <li>1) <i>Fitness Centre</i></li> <li>2) <i>Industrial Uses</i></li> <li>3) <i>Medical Clinic</i></li> <li>4) <i>Office Building</i></li> <li>5) <i>Office Use</i></li> <li>6) <i>Recreation and Athletic Facility</i></li> </ul>			



7) *Research & Technology Use*, excluding uses which produce biomedical waste

8) *U-Brew Establishment*

9) *Warehouse/Distribution Centre*

10) *Wholesale Operation*

B. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following uses shall be permitted if located in an office, light industrial or mixed use building including an Industrial Mall:

1) *Bank*

2) *Commercial School – Skill*

3) *Commercial School – Trade*

4) *Dry Cleaning Depot*

5) *Dry Cleaning Establishment*

6) *Motor Vehicle Rental Agency*

7) *Personal Service Shop*

8) *Restaurant*

9) *School – Adult Education*

10) *Service and Repair Shop*

11) *Specialty Food Store*

C. Special Site Provisions

1) For the lands zoned Business Park (M1\*294) the following additional special site provisions shall apply:

a) The lot line abutting James Snow Parkway is considered the *Front Lot Line*.

b) The minimum *Building Height* shall be 6 metres.

c) Notwithstanding Section 5.12, Table 5L, *Parking Areas* can be setback 0.0 metres from the property line located within the shared access driveway.

d) For an *Industrial Use, Warehouse / Distribution Centre and Wholesale Operation*, a minimum of fifteen percent (15%) or 929 square metres of *Gross Floor Area*, which ever is greater, shall be dedicated to the *Office* component for such use.

e) Notwithstanding the forgoing, for an *Industrial Use, Warehouse / Distribution*

	<p><i>Centre and Wholesale Operation</i> located in a building where the total building <i>gross floor area</i> is greater than 6,967 square metres, a minimum of ten percent (10%) of the <i>gross floor area</i> or 696 square metres, which ever is greater, shall be dedicated to the office component for such use.</p> <p>f) Notwithstanding anything to the contrary, accessory service, wholesale and retail associated with an <i>Industrial Use, Warehouse/Distribution Centre</i> or a <i>Wholesale Operation</i> shall be permitted provided that the retail area does not exceed 15% or 480 square metres of the <i>Gross Floor Area</i> of the premises, which ever is less.</p> <p>g) Notwithstanding Section 8.2, Table 8B, the minimum <i>Landscaped Open Space</i> shall be 7.5%.</p> <p>h) Notwithstanding Section 5.8.2, Table 5G, the minimum off-street parking requirements for an <i>Industrial Use</i> shall be provided as follows:</p> <p>i. Parking is calculated for each individual industrial and warehouse/distribution premises, including accessory office space, as follows:</p> <p>a) For the first 5,000 m<sup>2</sup> of gross floor area, 1 parking space per 100 m<sup>2</sup> of gross floor area shall be provided; and</p> <p>b) Gross floor areas greater than 5000 m<sup>2</sup> shall provide 1 parking space per 200 m<sup>2</sup> of gross floor area.</p> <p>ii. Notwithstanding any provisions of the By-law to the contrary, accessory retail and showroom uses associated with the <i>Industrial Use, Warehouse/Distribution Centre</i> or a <i>Wholesale Operation</i> shall be included within the above noted calculations.</p> <p>iii. Notwithstanding Sections 4.19.1 ii) b), 5.1 iii) and 5.6.1 i), connection to a street may be provided by private streets and driveways located on adjacent lots.</p>
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13.1.1.295	058-2021	M1*295	*295
<p>LANDS MUNICIPALLY IDENTIFIED AS 0, 6390-6400 AND 6548 FIFTH LINE AND LEGALLY DESCRIBED AS PART OF LOTS 7, 8, AND 9, CONCESSION 5, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, THE TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-02/20)</p>			
<p>Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Business Park *295 (M1*295), the following standards and provisions shall apply:</p> <p>A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following shall be the only uses permitted:</p> <p>1) <i>Fitness Centre</i></p> <p>2) <i>Industrial Uses</i></p>			

- 3) *Medical Clinic*
- 4) *Office Building*
- 5) *Office Use*
- 6) *Recreation and Athletic Facility*
- 7) *Research & Technology Use*, excluding uses which produce biomedical waste
- 8) *U-Brew Establishment*
- 9) *Warehouse/Distribution Centre*
- 10) *Wholesale Operation*

B. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following uses shall be permitted if located in an office, light industrial or mixed use building including an Industrial Mall:

- 1) *Bank*
- 2) *Commercial School – Skill*
- 3) *Commercial School – Trade*
- 4) *Dry Cleaning Depot*
- 5) *Dry Cleaning Establishment*
- 6) *Motor Vehicle Rental Agency*
- 7) *Personal Service Shop*
- 8) *Restaurant*
- 9) *School – Adult Education*
- 10) *Service and Repair Shop*
- 11) *Specialty Food Store*

C. Special Site Provisions

- 1) For the lands zoned Business Park (M1\*295) the following additional special site provisions shall apply:
  - a) *A Research & Technology Use* shall only be permitted where such use does not produce biomedical waste.
  - b) For an *Industrial Use, Warehouse / Distribution Centre and Wholesale Operation*,

a minimum of fifteen percent (15%) or 929 square metres of *Gross Floor Area*, which ever is greater, shall be dedicated to the *Office* component for such use.

- c) Notwithstanding the foregoing, for an *Industrial Use, Warehouse / Distribution Centre* and *Wholesale Operation* located in a building where the total building *gross floor area* is greater than 6,967 square metres, a minimum of ten percent (10%) of the *gross floor area* or 696 square metres, which ever is greater, shall be dedicated to the office component for such use.
- d) Notwithstanding anything to the contrary, accessory service, wholesale and retail associated with an *Industrial Use, Warehouse/Distribution Centre* or a *Wholesale Operation* shall be permitted provided that the retail area does not exceed 15% or 480 square metres of the *Gross Floor Area* of the premises, which ever is less.
- e) Notwithstanding Section 5.8.2, Table 5G, the minimum off-street parking requirements for an *Industrial Use* shall be provided as follows:
  - a) Parking is calculated for each individual industrial and warehouse/distribution premises, including accessory office space, as follows:
    - a) For the first 5,000 m<sup>2</sup> of gross floor area, 1 parking space per 100 m<sup>2</sup> of gross floor area shall be provided; and
    - b) Gross Floor Areas greater than 5000 m<sup>2</sup> shall provide 1 parking space per 200 m<sup>2</sup> of Gross Floor Area.
  - b) Notwithstanding any provisions of the By-law to the contrary, accessory retail and showroom uses associated with the *Industrial Use, Warehouse/Distribution Centre* or *Wholesale Operation* use shall be included within the above noted calculations.
- f) Notwithstanding Section 8.2, Table 8B, the minimum *Landscaped Open Space* shall be 7.5%.
- g) Notwithstanding Section 8.2, Table 8B, all Buildings must be setback a minimum 23.5 metre from the centreline of Fifth Line.
- h) Notwithstanding Sections 4.19.1 ii) b), 5.1 iii) and 5.6.1 i), connection to a street may be provided by private streets and driveways located on adjacent lots.

13.1.1.296	060-2021	M1*296	*296
PART OF LOT 11, CONCESSION 6 (NEW SURVEY) FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BROCCOLINI AND IG WEALTH MANAGEMENT) FILE Z-15/20			
<p>Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Business Park Special *296 (M1*296), the following standards and provisions shall apply:</p> <p>A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following shall be the only uses permitted:</p> <ol style="list-style-type: none"> <li>1) <i>Industrial Use</i></li> <li>2) <i>Medical Clinic</i></li> <li>3) <i>Office Use</i></li> <li>4) <i>Office Building</i></li> <li>5) <i>Research &amp; Technology Use</i>, excluding uses which produce biomedical waste</li> <li>6) <i>Restaurant</i></li> <li>7) <i>School – Adult Education</i></li> <li>8) <i>Warehouse/Distribution Centre</i></li> <li>9) <i>Wholesale Operation</i></li> </ol> <p>B. Special Site Provisions</p> <ol style="list-style-type: none"> <li>1) For the lands zoned Business Park Special *296 (M1*296) the following additional special site provisions shall apply: <ol style="list-style-type: none"> <li>a) For the purposes of this By-law, Fifth Line shall be deemed the front lot line.</li> <li>b) Notwithstanding Section 8.2, Table 8B, the minimum front yard setback shall be 12.0 metres.</li> <li>c) Notwithstanding Section 5.11.1, Table 5K, loading spaces are permitted to be setback greater than the maximum 15 metres from a building and shall not be located in a front yard or exterior side yard within 50 m of Labrador Avenue.</li> <li>d) Notwithstanding Section 5.12, Table 5L, parking areas can be setback 0.0 metres from the property line located within the shared access driveway.</li> <li>e) A minimum 2.2 metre landscape buffer from any interior side lot line is required.</li> </ol> </li> </ol>			

f)	A minimum 6.0 metre landscape buffer is required along the 5 <sup>th</sup> Line frontage.
g)	A minimum 6.0 metre landscape buffer is required between a building and any property line between a building and Derry Road.
h)	All parking spaces, truck parking spaces and loading areas. spaces and outdoor storage shall be screened from view from the 5 <sup>th</sup> Line and Derry Road.
i)	No truck queuing is permitted in the front yard.
j)	Notwithstanding anything to the contrary, accessory service, wholesale and retail associated with an <i>Industrial Use, Warehouse/Distribution Centre</i> or a <i>Wholesale Operation</i> shall be permitted provided that the retail area does not exceed 15% or 480 sq.m. of the gross floor area of the premises, which ever is less.
k)	Outside storage shall only be permitted in a rear yard and shall be adequately screened from view from all public streets.
l)	Research and Technology Use shall only be permitted where such use does not produce biomedical waste.
m)	Notwithstanding Section 8.2, Table 8B, the maximum building height shall be 27.5 metres.
n)	Notwithstanding Section 8.2, Table 8B, the minimum landscaped open space shall be 7.5%.

13.1.1.297	060-2021	M1*297	*297
PART OF LOT 11, CONCESSION 6 (NEW SURVEY) FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BROCCOLINI AND IG WEALTH MANAGEMENT) FILE Z-15/20			
Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Business Park Special*297 (M1*297), the following standards and provisions shall apply:			
A. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following shall be the only uses permitted:			
1) <i>Fitness Centre</i>			
2) <i>Industrial Uses</i>			
3) <i>Medical Clinic</i>			
4) <i>Office Building</i>			
5) <i>Office Use</i>			
6) <i>Recreation and Athletic Facility</i>			

7) *Research & Technology Use*, excluding uses which produce biomedical waste

8) *U-Brew Establishment*

9) *Warehouse/Distribution Centre*

10) *Wholesale Operation*

B. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following uses may be permitted if located in an office, light industrial or mixed use building including an Industrial Mall:

1) *Bank*

2) *Commercial School – Skill*

3) *Commercial School – Trade*

4) *Dry Cleaning Depot*

5) *Dry Cleaning Establishment*

6) *Motor Vehicle Rental Agency*

7) *Personal Service Shop*

8) *Restaurant*

9) *School – Adult Education*

10) *Service and Repair Shop*

11) *Specialty Food Store*

C. Special Site Provisions

1) For the lands zoned Business Park Special \*297 (M1\*297) the following additional special site provisions shall apply:

a) The lot line abutting Derry Road is considered the Front Lot Line.

b) The minimum building height shall be 6 metres.

c) The minimum building setback from Derry Road – 5.0 metres.

d) Notwithstanding Section 5.12, Table 5L, parking areas can be setback 0.0 metres from the property line located within the shared access driveway.

e) No parking areas shall be located between a building and a public street.

<ul style="list-style-type: none"> <li>f) Parking spaces shall only be permitted to be located in the side and rear yards and no closer to the street than the front wall of a building facing a public street.</li> <li>g) That the maximum gross floor area for a detached accessory waste storage building shall be 70 m<sup>2</sup>, shall be located in the rear yard only and screened from all public streets.</li> <li>h) All parking areas shall be screened from view from Derry Road.</li> <li>i) A minimum of fifteen percent (15%) or 929.03 square metres of gross floor area, which ever is greater, for an Industrial Use, Warehouse / Distribution Centre and a Wholesale Operation shall be dedicated to the office component for such use.</li> <li>j) For an Industrial Use, Warehouse / Distribution Centre and Wholesale Operation, a minimum of fifteen percent (15%) or 929 square metres of <i>gross floor area</i>, which ever is greater, shall be dedicated to the office component for such use.</li> <li>k) Research and Technology Use shall only be permitted where such use does not produce biomedical waste.</li> <li>l) A Restaurant shall only be permitted as part of an Industrial Use, Warehouse/Distribution Centre, or Wholesale Operation, and shall not be permitted as part of an Industrial Mall.</li> </ul>
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<b>13.1.1.298</b>	075-2021	UGC-MU*298	<b>*298</b>
PART LOT 13, CONCESSION 3, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY KNOWN AS 101 NIPISSING ROAD (FERNBROOK HOMES (MILTON GO) CONSTRUCTION LTD.) TOWN FILE - Z-02/19			
Urban Growth Centre Mixed Use – Special Section (UGC-MU*298-H54) Zone			
<p>i) <b>Special Site Provisions:</b></p> <p>Notwithstanding any provisions of the by-law to the contrary, the following provisions shall apply:</p> <ul style="list-style-type: none"> <li>a) For the purpose of this By-law, floor plate area means: <ul style="list-style-type: none"> <li><i>The gross horizontal floor area of a single floor measured from all the exterior walls of a building or structure excluding balconies</i></li> </ul> </li> <li>b) A minimum of 4 square metres of outdoor communal amenity space per apartment dwelling unit and stacked townhouse dwelling unit shall be provided at grade and/or as a rooftop amenity area on the podium and shall be maintained and operated by a common entity (such as a condominium corporation).</li> <li>c) Despite any provisions to the contrary, more than one residential building is permitted on the lot.</li> </ul>			



ii) **Zone Standards:**

- a) The maximum number of residential units for all phases combined shall total 677;
- b) The maximum floor space index shall be 4.73;
- c) The maximum lot coverage shall be 70%;
- d) The required rail corridor setback shall be 19.2 metres for dwelling units;
- e) The required rail corridor setback shall be 0.4 metres for the parking structure;
- f) The minimum rear yard setback shall be 0.4 metres;
- g) The maximum front yard setback for storeys above the fifth floor shall be 5 metres;
- h) The minimum street line setback for the underground parking structure shall be 0.78 metres;
- i) The minimum setback to any other lot line for the underground parking structure shall be 0.50 metres;
- j) The minimum interior yard setback shall be 0.24 metres;
- k) The maximum permitted height shall be 19 storeys (60.1 metres);
- l) Parking shall be required at a rate of 1.0 space per unit plus 0.23 visitor parking spaces per unit;
- m) Notwithstanding the provisions of Section 5.10.v) of Zoning By-law 016-2014 to the contrary, a minimum of 10 bicycle parking spaces shall be located outside of the building.
- n) That the loading bay door dimensions shall be 6 metres x 4.5 metres; and,
- o) Where there is more than one apartment building, the minimum separation between towers shall be 25 metres measured from the face of the building, excluding balconies.
- p) Any portion of the building between a height of 8 stories and 15 stories, must not exceed a floor plate area of 1000 square metres or 40 linear metres measured diagonally on the development site. Above the 15th storey, the floorplate should be less than 750sq.m or 40 linear metres measured diagonally

<b>13.1.1.299</b>	077-2021	RLD2	<b>*299</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
<p>Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:</p> <p>i) <b>Zone Standards:</b></p> <p>a) Minimum <i>Front Yard Setback</i>:</p> <p style="padding-left: 40px;">i) For lots with frontage on Ontario Street North: 4.0 m</p> <p style="padding-left: 40px;">ii) All other lots: 7.5 m</p> <p style="padding-left: 40px;">iii) In the case of an addition to an existing <i>building</i>, the minimum <i>front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p>			

<b>13.1.1.300</b>	077-2021	RLD3	<b>*300</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
<p>Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:</p> <p>i) <b>Zone Standards:</b></p> <p>a) Minimum <i>Front Yard Setback</i>: 7.5 m</p> <p>b) In the case of an addition to an existing <i>building</i>, the minimum <i>front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p> <p>ii) <b>Special Regulations for garages and carports:</b></p> <p>a) Provisions of Section 6.3.3 shall apply.</p>			

<b>13.1.1.301</b>	077-2021	RLD3	<b>*301</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
<p>Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:</p> <p>i) <b>Zone Standards:</b></p> <p>a) Minimum <i>Front Yard Setback</i>: 10.0 m</p>			

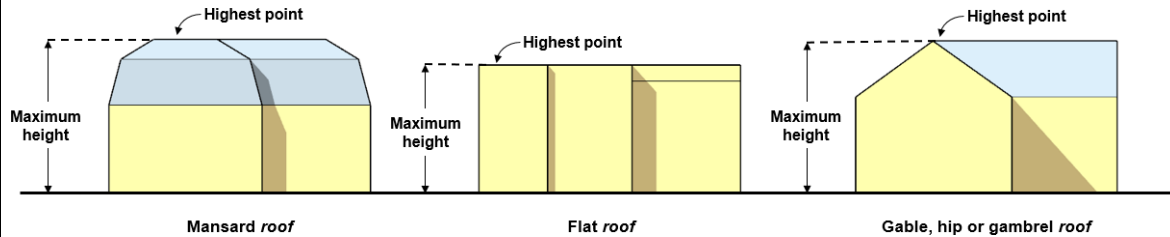
<p>b) In the case of an addition to an existing <i>building</i>, the minimum <i>front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p> <p>ii) <b>Special Regulations for garages and carports:</b></p> <p>a) Provisions of Section 6.3.3 shall apply.</p>
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<b>13.1.1.302</b>	077-2021	RLD4	<b>*302</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
<p>Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:</p> <p>i) <b>Zone Standards:</b></p> <p>a) Minimum <i>Front Yard Setback</i>: 7.5 m</p> <p>b) In the case of an addition to an existing <i>building</i>, the minimum <i>front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p>			

<b>13.1.1.303</b>	077-2021	RMD1	<b>*303</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
<p>Notwithstanding the provisions of Section 6.1 Table 6A to the contrary, the following provisions shall apply:</p> <p>i) <b>Excluded Uses:</b> <i>Triplex dwellings and Quattroplex Dwellings.</i></p> <p>ii) <b>Zone Standards:</b></p> <p>a) Minimum <i>Front Yard Setback</i>: 7.5 m</p> <p style="padding-left: 40px;">i) For lots with frontage on Laurier Avenue: 7.5 m</p> <p style="padding-left: 40px;">ii) All other lots: 7.0 m</p> <p style="padding-left: 40px;">iii) In the case of an addition to an existing <i>building</i>, the minimum <i>front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p> <p>b) Maximum <i>Height</i>: 2 storeys to a maximum of:</p> <p style="padding-left: 40px;">i) 8.0 m in the case of a flat roof, measured from the <i>established grade</i> to the uppermost point of the <i>roof surface</i> or parapet, whichever is greater, and</p>			

- ii) 9.5 m in the case of a gable, hip, gambrel or mansard roof, measured from the *established grade* to the uppermost point of the *roof surface*.

**ILLUSTRATION OF BUILDING HEIGHT IN THE RMD1\*303 ZONE**



**NOTE:**

The above illustration is for clarification and convenience only and does not form part of this By-law.

<b>13.1.1.304</b>	080-2021	I-A	<b>*304</b>
<p>PART LOT 8, CONCESSION 3 (TRAFALGAR), BLOCK 244 ON PLAN 20M-1219, AND PARTS 1, 3, 7 &amp; 8 ON PLAN 20R-21876, AND MUNICIPALLY IDENTIFIED AS 815 KENNEDY CIRCLE WEST, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON DISTRICT SCHOOL BOARD.) TOWN FILE - Z-06/21</p>			
<p>Notwithstanding any provisions of the By-law to the contrary, for the lands zoned site-specific Minor Institutional (I-A*304), the following standards and provisions shall apply:</p>			
<p>i) <b>Special Site Provisions:</b></p> <ul style="list-style-type: none"> <li>a) For the purposes of administering the Zoning By-law, the lot shall constitute Parts 1 and 8 on Plan 20R-21876.</li> <li>b) No more than one (1) loading space will be required.</li> <li>c) A temporary fire route shall be permitted a 0.0 m setback where it crosses the rear lot line.</li> <li>d) Accessory buildings and structures shall be permitted within the childcare playground area located at the front of the building</li> </ul>			
<p>ii) <b>Zone Standards:</b></p> <ul style="list-style-type: none"> <li>a) Building Height (Maximum) – 13.5 metres</li> </ul>			

13.1.1.305	084-2021	MU	*305
<p>PART LOT 6, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR AND MUNICIPALLY KNOWN AS 8175 BRITANNIA ROAD IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (FERNBROOK HOMES (MILTON ONE) LIMITED) – FILE: Z-10/20</p>			
<p>Notwithstanding any provision of the by-law to the contrary, for lands zoned site specific Mixed Use *305 (MU*305-H55 Zone), the following special provisions apply:</p> <p>i) Notwithstanding Section 6.1 – Table 6A-1 Permitted Uses, the following additional uses shall be permitted:</p> <ol style="list-style-type: none"> <li>1) Multiple Dwellings (Stacked Townhouses) at a minimum density of 100 units per net hectare and provided that a minimum of 80% of parking spaces are within a parking structure.</li> </ol> <p>B. Notwithstanding the provisions found in Section 6.2 Table 6F of the By-law, for the lands zoned site specific Mixed Use (MU*305-H55) Zone the following additional special site provisions shall apply:</p> <ol style="list-style-type: none"> <li>1) For the purposes of this By-law, the lot line facing Rose Way shall be deemed the front lot line;</li> <li>2) Setback to all other zones – 3.0 metres;</li> <li>3) Minimum first storey height - 3.1 metres;</li> <li>4) Balconies oriented towards Britannia Road (an arterial road) or internal to a property are permitted at any height;</li> <li>5) Balconies that are oriented toward any other public road other than an arterial road – Minimum 1.0 metres above grade;</li> <li>6) A bicycle parking rate of 0.2 unit for long term parking and 0.2 for short term parking for a total of 0.4 combined short and long term bicycle parking shall apply;</li> <li>7) Minimum Landscape Open Spaces for residential uses – 23% and any landscaping located between Rose Way and Street “B” shall be maintained as part of the private amenity area located adjacent to the public right of way;</li> <li>8) At Grade Patio encroachment – where an 80% or greater at grade patio encroachment is requested, a minimum 1-metre tall ornate railings with masonry pillars is required. In addition, no storage of personal belongings will be permitted on the said Patio with this encroachment;</li> <li>9) Any proposed pedestrian public access from a unit onto Street “B” will require a safety railing on any steps gaining access to Street “B” or any private walkway leading to Street “B”;</li> </ol>			

10)	Access to a stacked townhouse unit from a public or private street shall be a maximum 3.25 metres above grade; and
11)	Any below grade patio fronting onto Britannia Road shall have direct pedestrian access to a private walkway or public street.
12)	Setback to an underground parking structure 0.55 m.
13)	The maximum encroachment of a column in an underground parking garage is 0.1 metre into a parking space.
14)	Notwithstanding the requirements in Table 5D, the minimum off-street parking requirement for a multiple dwelling in a common parking area is as follows: <ul style="list-style-type: none"> <li>• 1.25 spaces per dwelling unit, and</li> <li>• 0.25 spaces per dwelling unit for visitor parking</li> </ul>
15)	Setback to a patio wall located on top of a parking structure, regardless of patio wall foundation type 0.07 m;
16)	The minimum setback of a ramp accessing an underground parking structure to a building is 0.0 metre; and
17)	Common Amenity Area per dwelling unit (minimum): 4.0 m <sup>2</sup>

13.1.1.306	030-2022	M1	*306
PART OF LOT 10, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (BROCCOLINI REAL ESTATE GROUP/SUN LIFE ASSURANCE COMPANY OF CANADA) – FILE: Z-01/21			
Notwithstanding any provisions of the by-law to the contrary, for lands zoned site specific Business Park (M1*306), the following standards and provisions shall apply:			
a) Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following shall be the only permitted uses:			
<ul style="list-style-type: none"> <li>a. Fitness Centre</li> <li>b. Industrial Uses</li> <li>c. Medical Clinic</li> <li>d. Office Building</li> <li>e. Office Use</li> <li>f. Recreation and Athletic Facility</li> <li>g. Research and Technology Use – excluding uses which produce biomedical waste</li> <li>h. U-Brew Establishment</li> <li>i. Warehouse/Distribution Centre</li> <li>j. Wholesale Operation</li> </ul>			

- b) Notwithstanding Section 8.1 – Table 8A permitted uses, the following uses may be permitted if located in an office, light industrial or mixed use building including an industrial mall:
- a. Bank
  - b. Commercial School – Skill
  - c. Commercial School – Trade
  - d. Dry Cleaning Depot
  - e. Dry Cleaning Establishment
  - f. Motor Vehicle Rental Agency
  - g. Personal Service Shop
  - h. Restaurant
  - i. School – Adult Education
  - j. Service and Repair Shop
  - k. Specialty Food Store
- c) For the lands zoned site-specific Business Park (M1\*306) the following additional special site provisions shall apply:
- a. That the maximum gross floor area for a detached accessory waste storage building shall be 70 square metres, shall be located in the rear yard only, and screened from all public streets.
  - b. A minimum of 15% or 929 square metres of gross floor area, whichever is greater, for an Industrial Use, Warehouse/Distribution Centre, and a Wholesale Operation shall be dedicated to the office component for such use.
  - c. A minimum 26.5 metre setback from the exterior side yard lot line along the Fifth Line Right-of-Way shall apply.
- d) Notwithstanding Section 5.6.1 ii Table 5B(\*1), the maximum width of a two-way driveway shall be 25 metres.
- e) Notwithstanding Section 5.13 i., wall mounted lights are permitted at a maximum height of 9.62 metres above grade.

<b>13.1.1.307</b>	007-2022	RLD4	<b>*307</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:			
i) <b>Zone Standards:</b>			
a) Minimum <i>Front Yard Setback</i> : 7.5 m			

<p>b) In the case of an addition to an existing <i>building</i>, the minimum <i>front yard setback</i> shall be equal to the front yard setback legally existing on the effective date of By-law 007-2022 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p> <p>c) Minimum <i>Exterior Side Yard Setback</i>: 5.0 m</p>
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<b>13.1.1.308</b>	007-2022	RLD5	<b>*308</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
<p>Notwithstanding the provisions of Section 6.2 Table 6B-2 to the contrary, the following provisions shall apply:</p> <p>i) <b>Zone Standards:</b></p> <p>a) Minimum <i>Front Yard Setback</i>: 6.0 m</p> <p>b) In the case of an addition to an existing <i>building</i>, the minimum <i>front yard setback</i> shall be equal to the front yard setback legally existing on the effective date of By-law 007-2022 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p>			

<b>13.1.1.309</b>	007-2022	RLD5	<b>*309</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
<p>Notwithstanding the provisions of Section 6.2 Table 6B-2 to the contrary, the following provisions shall apply:</p> <p>i) <b>Zone Standards:</b></p> <p>a) Minimum <i>Interior Side Yard Setback</i> for <i>Detached</i> and <i>Duplex Dwellings</i>:</p> <p>i) With <i>attached garage</i> or <i>carport</i>: 1.2 m</p> <p>ii) Where no <i>garage</i> or <i>carport</i> is attached to the <i>dwelling</i>, the <i>interior side yard setback</i> closest to the <i>driveway</i> shall be a minimum of 3.5m and the other side shall be a minimum of 1.2m.</p>			

<b>13.1.1.310</b>	007-2022	RLD7	<b>*310</b>
VARIOUS PROPERTIES WITHIN MATURE NEIGHBOURHOOD AREAS			
<p>Notwithstanding the provisions of Section 6.2 Table 6B-2 to the contrary, the following provisions shall apply:</p> <p>i) Maximum <i>Building Height</i>:</p> <p>a) 8.0m in the case of a flat <i>roof</i>, measured from the <i>established grade</i> to the uppermost point of the <i>roof</i> surface or <i>parapet</i>, whichever is greater; and</p>			



- b) 9.5m in the case of a gable, hip, gambrel or mansard *roof*, measured from the *established grade* to the uppermost point of the roof surface.
- ii) The provisions of Section 6.3.4 shall not apply.

<b>13.1.1.311</b>	019-2022	UGC-MU	<b>*311</b>
PART OF LOT 13, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (NEATT COMMUNITIES (NIPISSING) INC.) – FILE: Z-08/21			
Urban Growth Centre Mixed Use – Special Section (UGC-MU*311) Zone			
<p><b>1. Additional Permitted Uses:</b></p> <ul style="list-style-type: none"> <li>a) Apartment Building</li> <li>b) Guest Suite</li> <li>c) Above Grade Parking Structure</li> </ul> <p><b>(ii) Definitions:</b></p> <p>For the purpose of this by-law:</p> <ul style="list-style-type: none"> <li>a) FLOOR PLATE AREA means the gross horizontal floor area of a single floor measured from all the exterior walls of a building or structure excluding balconies.</li> <li>b) LONG TERM BICYCLE PARKING means bicycle parking spaces located within the building for the use by occupants or tenants of a building;</li> <li>c) SHORT TERM BICYCLE PARKING means bicycle parking spaces for use by visitors to a building and can be provided either inside or outside of the building.</li> <li>d) GUEST SUITE is a room within the apartment building that is not connected to any individual apartment, but which includes bedroom and bathroom space that can be used by visitors to the apartment building as overnight temporary accommodation and it shall not include a kitchen. A Guest Unit does not constitute an apartment and shall not require a separate parking provision.</li> <li>e) STEPBACK means the horizontal distance from a main wall on the lower floors of a building to a main wall on the uppermost floors of a mid-rise building or the tower portion of a tall building, including balconies.</li> </ul> <p><b>(iii) Special Provisions:</b></p> <ul style="list-style-type: none"> <li>a) Notwithstanding the provisions of Section 4.19.4, Exceptions to Height Requirements, the calculation of <i>Building Height</i> shall be exclusive of mechanical penthouses, rooftop equipment, elevator tower, stair tower and/or architectural features such as parapets and screen walls.</li> </ul>			

- b) Notwithstanding Section 4.19.5, Table 4H, *balconies* and *porches/verandas* are permitted to encroach into the required *yard* and are permitted to be setback 0.0 m from the *lot line*.
- c) Notwithstanding Section 4.22.3, the minimum setback from a residential *dwelling unit* to the railway corridor right-of-way shall be 21 metres.
- d) Notwithstanding Section 4.22.3, the minimum setback from a parking structure to the railway corridor right-of-way shall be 0 metres.
- e) Notwithstanding Section 5.8.1, Table 5E, to the contrary the minimum off-street parking requirements shall be:
  - a. 0.88 *parking spaces* per *dwelling unit*.
  - b. Plus 0.2 visitor *parking spaces* per *dwelling unit*.
- f) Notwithstanding Section 5.12.1 to the contrary, *parking areas* shall be setback 0.5 m from the lot line.
- g) Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.0 m of a street line or *lot line*.
- h) Notwithstanding Section 5.10, to the contrary, the bicycle parking requirement for a *mixed-use building* or *apartment building* shall be 1.00 *long-term bicycle parking spaces* per *dwelling unit* plus 0.05 visitor *short-term bicycle parking spaces* per *dwelling unit*.
- i) Notwithstanding Section 5.8, Table 5D, a bicycle *parking space* may also be provided in a vertical or stacked vertical rack system.
- j) Notwithstanding Section 5.8, Table 5D, the minimum dimension of a bicycle parking space if placed in a vertical position or stacked vertical position on a wall, structure or mechanical device is:
  - a. Minimum width of 0.4 metres.
  - b. Minimum length of 1.2 metres.
  - c. Minimum vertical clearance is 1.9 metres.
- k) A minimum of 4 square metres per *dwelling unit* of outdoor communal *amenity* space shall be provided at *grade* and/or as a rooftop *amenity area* on the podium and shall be maintained and operated by a common entity (such as a condominium corporation). This outdoor communal *amenity* space shall be aggregated into areas of not less than 50 square metres and have a minimum width of 6.0 metres.
- l) The podium of a residential building shall have a minimum *height* of 3 *storeys* and a maximum *height* of 6 *storeys*.
- m) Any portion of a building above a *height* of 7 *storeys* must not exceed a floor plate area of 770 square metres.

- n) Despite any provision to the contrary, where there is more than one residential building on the lot, the minimum separation between towers shall be 25 metres measured from the main face of the *building* and excluding *balconies*.
- o) The minimum permitted *Floor Space Index* (FSI) shall be 3.0.
- p) The maximum permitted *Floor Space Index* (FSI) shall be 5.0.
- q) *Waste storage areas* shall be located within the principal *building*.
- r) Any awning, canopy and/or similar weather shielding structure, and any restaurant patio, may project to any *lot line*.
- s) Transformers and Telecommunications: Transformers and telecommunications vaults and pads shall be permitted to project 0.5 metres to a public street beyond the *main wall* of the *building*.
- t) Minimum *Height of First Storey*: 3.6 metres. (measured from top-of-slab to top-of-slab)
- u) A Guest Suite does not constitute an apartment and shall not require a separate parking provision.
- v) A minimum stepback of 1.5 m is required above a *height* of 4-storeys.

**(iv) Zone Standards:**

Notwithstanding the provisions of Section 7.2, Table 7C to the contrary:

- a) Minimum *Front Yard Setback* shall be 1.0 m.
- b) Maximum *Front Yard Setback* shall be 4.0 m
- c) Minimum *Interior Yard Setback* shall be 0 m.
- d) Minimum *Rear Yard Setback* shall be 0 m.
- e) Maximum *lot coverage* shall be 65%.
- f) Maximum *height* of all buildings is 23 storeys and 74.5 metres.
- g) Footnote (\*2) to Table 7C is not applicable.
- h) *Minimum Landscape Open Space*: 12%

13.1.1.312	040-2022	I-A	*312
PART OF LOT 10, CONCESSION 4, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (QUADSPRING INC.) TOWN FILE: Z-05/19			
<p>For lands zoned Minor Institutional Zone (I-A*312) the following provisions also apply:</p> <ol style="list-style-type: none"> <li>1. Only Uses Permitted:               <ol style="list-style-type: none"> <li>a) A Day Care Centre use</li> </ol> </li> <li>2. Site Considerations:               <ol style="list-style-type: none"> <li>a) Notwithstanding, for the purposes of this by-law all proposed special zone standards apply to Schedule A, the subject property in its entirety; and</li> <li>b) Notwithstanding, for the purposes of this by-law the front lot line of the property shall be Derry Road.</li> </ol> </li> <li>3. Special Zone Standards:               <ol style="list-style-type: none"> <li>a) Notwithstanding Table 9B, the minimum Lot Area for a Day Nursery use shall be 0.29 hectares;</li> <li>b) Notwithstanding Table 9B, the maximum Gross Floor Area for individual buildings shall be 1,700 square metres;</li> <li>c) Notwithstanding Table 9B, the minimum front yard (Derry Road) shall be 1.0 metres; and</li> <li>d) Notwithstanding Section 4.19.5 Table 4H, Ornamental Projections shall be permitted to encroach a maximum of 1.0 metres;</li> <li>e) Notwithstanding Section 4.19.5 Table 4H, where an Architectural Feature projects into a front yard, 1 0.0 metre setback can be provided and such feature may encroach into a required Landscape Buffer;</li> <li>f) Notwithstanding Section 9.2, Table 9B a minimum of 8% landscape open space is required;</li> <li>g) Notwithstanding Section 5.11 i), 0 loading spaces are required for a day care use;</li> <li>h) Notwithstanding Table 9B, the minimum Landscape Buffer abutting a street line shall be 0.5 metres along Fourth Line and 1.0 metres along Derry Road;</li> <li>i) Notwithstanding Table 9B, the minimum Exterior Side Yard (Fourth Line) shall be 2.5 metres;</li> <li>j) Notwithstanding Table 9B, any rooftop equipment and/or structures shall not be included in the maximum height restrictions;</li> <li>k) Notwithstanding Section 5.8.2 Table 5G, minimum parking required for a day care centre shall be 51 spaces;</li> <li>l) Notwithstanding Table 5L, the minimum setback of a parking area from all other lot lines shall be 0.0 metres; and</li> <li>m) Notwithstanding Section 4.14.2 v) d), deep collection waste disposal container(s) shall be located no closer than 0.10 metres from a building or parking area.</li> </ol> </li> </ol>			

13.1.1.313	032-2022	C2	*313
PART OF LOT 8, CONCESSION 4, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON THOMPSON DEVELOPMENTS LIMITED AND MAZMIK DEVELOPMENTS LIMITED) – TOWN FILE: Z-20/14			
Notwithstanding any provisions of the By-law to the contrary, for lands zoned Secondary Mixed Use Commercial (C2*313) the following standards and provisions shall apply:			
<p><b>1. <u>Special Zone Provisions:</u></b></p> <ul style="list-style-type: none"> <li>a) For the purposes of the By-law, Thompson Road shall be considered the front lot line.</li> <li>b) For the purposes of the By-law, the two separate lots comprising this commercial site, being the lands shown as Part 1 on Plan 20R-21186 and lands known municipally as 1105 Thompson Road, shall be considered one lot.</li> <li>c) Minimum Front Yard Setback: 3.0 metres</li> <li>d) Minimum Interior Side Yard setback: 4.0 metres</li> <li>e) Minimum Exterior Side Yard setback: 3.0 metres</li> <li>f) Minimum GFA for all buildings combined: 7,929 square metres</li> <li>g) Minimum Landscape Buffer abutting a street line: <ul style="list-style-type: none"> <li>a. Abutting northeast daylight triangle: 0.12 metres</li> <li>b. Abutting northwest daylight triangle: 0 metres</li> <li>c. Abutting street lines in all other locations: 1.5 metres</li> </ul> </li> <li>h) Minimum parking requirement: 1 space per 22.3 square metres of gross floor area.</li> <li>i) Notwithstanding Section 4.18 vi), a restaurant patio shall be setback a min 0.0 metres from a parking area.</li> <li>j) Notwithstanding Section 5.18.4, the minimum setback for a queuing lane to a street line shall be 3.0 metres and the minimum setback from a voice order box to a street line shall be 2.5 metres.</li> <li>k) Notwithstanding Section 5.11.1 to the contrary, a loading space or area shall be setback a minimum of 4.0 metres from an adjacent residential zone and a minimum of 3.0 metres from a street line.</li> <li>l) Notwithstanding Section 5.1 ix), a loading space may be provided inside a building enclosure.</li> <li>m) Notwithstanding Section 5.11 Table 5J, a minimum of 3 loading spaces shall be provided on site.</li> <li>n) Notwithstanding Section 5.12 Table 5L to the contrary, a parking area is permitted a minimum setback of 0.0 metres to the enclosed loading area portion of the Food Store.</li> </ul>			

13.1.1.315	032-2022	C2	*315
PART OF LOTS 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (BROWNRIDGE) LIMITED) – TOWN FILE: Z-01/20			
<b>Residential Medium Density 1 - Special Section (RMD1*315) Zone</b>			
<p>i) <u>Special Site Provisions Applicable to All Dwelling Types</u></p> <ul style="list-style-type: none"> <li>a. In addition to Section 4.19.6 i), for the purposes of determining yards for corner lots with corner daylight radii or daylight triangle, the daylight radii or daylight triangle is deemed not to exist.</li> <li>b. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.</li> <li>c. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting public street, the reserve shall be deemed to constitute part of the lot for the purposes of calculating required setbacks only. Reserves used for such purposes must remain clear and unencumbered.</li> <li>d. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.</li> <li>e. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot.</li> <li>f. For the purposes of this By-law, where the front, exterior side, or rear lot line of a corner lot has a curved radius, for the purposes of determining lot frontage, depth, and setbacks, the radius shall be deemed not to exist and the lot frontage, depth, and setbacks will be measured to a projected extension of the straight segment.</li> <li>g. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.</li> <li>h. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback 0.0 metres from a lot line, except where a parking area abuts: <ul style="list-style-type: none"> <li>i. a lot line adjacent to James Snow Parkway, the setback shall be 2 metres.</li> </ul> </li> </ul> <p>ii) Notwithstanding any provisions to the contrary, for <u>Detached Dwelling – Street Access</u> (All Types) the following shall apply:</p> <ul style="list-style-type: none"> <li>a. In the case of a staggered double car garage: <ul style="list-style-type: none"> <li>i. One garage is permitted to have a minimum setback of 2.0 metres to the front lot line providing that the second garage has a minimum setback of 5.5 metres to the front lot line.</li> </ul> </li> </ul>			

- ii. On lots having frontage less than or equal to 11.5 metres the driveway width shall not exceed 6.6 metres.
  - b. Notwithstanding Section 4.19.5, Table 4H, porches/verandas encroaching into the required interior side yard are permitted to be located 0.9 metres to the interior side lot line.
  - c. Where located on top of a porch/veranda, balconies are permitted to encroach into the required interior side yard and shall be provided in accordance with b) above.
  - d. Notwithstanding any regulation of this By-law to the contrary, on any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 metres from their intersection.
  - e. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- iii) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Interior Lot:
- a. Lot frontage (minimum), interior lot – 9.15 metres
  - b. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.
  - c. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, provided the garage face does not project further than 1.83m beyond the porch.
  - d. Second storey boxed/bay windows shall be permitted in a required interior side yard for interior lots adjacent to a corner lot on a roundabout.
- iv) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Corner Lot, the following shall apply:
- a. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot.
  - b. Where a garage is accessed by a residential driveway crossing the exterior side lot line:
    - i. An attached garage may be located no closer than 0.6 metres from the rear lot line.
    - ii. Air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.
    - iii. Fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line, and the residential driveway.

- c. At the intersection of two local public or private streets:
  - i. The outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
  - ii. No part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
- d. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.
- e. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, and the garage portion of the elevation may project no further than 1.83 metres beyond the dwelling face or porch/veranda portion of the elevation.
- f. For detached dwellings that are located at the corner of Whitlock Avenue and the roundabout, the following additional provisions shall apply:
  - i. The yard abutting Whitlock Avenue shall be deemed to be the front yard.
  - ii. Minimum lot depth shall be measured along the interior lot line.
  - iii. Minimum Interior Side Yard Setback: 7.0 metres
  - iv. A residential driveway can extend into a rear yard or interior side yard to access an attached garage, provided that the driveway does not extend beyond the garage face.
  - v. Notwithstanding Section 4.8.1 i), within a *front yard* the maximum fence *height* shall be 2.0m.
- v) Notwithstanding any provisions to the contrary, for Townhouse Dwelling – Street Access, the following shall apply:
  - a. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide
  - b. At the intersection of two local public or private streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - c. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- vi) Notwithstanding any provisions to the contrary, for Townhouse Dwelling – Private Street, Rear Access, the following shall apply:
  - a. For all lane-based townhouses, the yard where the driveway is located is deemed to be the rear yard.
  - b. Minimum Lot depth (all unit types): 15.0 metres
  - c. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide



- d. Rear yard setback (minimum), all unit types – 1.0 metres
- e. Notwithstanding Section vi) d. above, units with driveways abutting the inside or outside of a rounding or curve shall have a minimum rear yard setback of 0.6 metres.
- f. At the intersection of two streets, no part of any residential driveway shall be located closer than:
  - i. 3.0 metres from the point of intersection of two private street lines, or;
  - ii. 4.5 metres from the point of intersection of one private street line and one public street line.
- g. The minimum required outdoor amenity area per unit is 4 m<sup>2</sup>, to be provided on a balcony.
- h. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- i. Notwithstanding any provisions of the By-law to the contrary, in those instances where the front yard is included as part of a common element of a condominium, the minimum required front yard setback between a condominium dwelling unit and a common element shall be 0.0 metres.
- j. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
- k. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
- o) Section 5.6.2 viii b) shall not apply.

<b>13.1.1.316</b>	032-2022	C2	<b>*316</b>
PART OF LOTS 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (BROWNRIDGE) LIMITED) – TOWN FILE: Z-01/20			
<b>Residential Medium Density 1 - Special Section (RMD1*316) Zone</b>			
i) For the purposes of this section, a <i>Sales Office</i> shall be defined as a Temporary Sales office for the sale of residential lots or units in a plan of subdivision or condominium, within the Town of Milton.			
ii) <u>Additional Permitted Uses</u>			
a. Sales office			
iii) Where a Sales Office is proposed, it shall be subject to the following provisions:			
a. In addition to Section 4.19.6 i), for the purposes of determining yards for corner lots with corner daylight radii or daylight triangle, the daylight radii or daylight triangle is deemed not			

<p>to exist.</p> <p>b. Whitlock Avenue shall be deemed the front lot line.</p> <p>c. Minimum yard setbacks:</p> <p>i. Front yard setback – 4.0 m</p> <p>ii. Interior side yard setback – 4.0 m</p> <p>iii. Exterior side yard setback – 4.0 m</p> <p>iv. Rear yard setback – 4.0 m</p> <p>d. The minimum parking area setback from the main wall of a building shall be 1.5 metres.</p> <p>e. Accessible parking spaces shall be located in proximity to the primary entrance(s) to a building and shall have direct access to the entrance(s) by a minimum of 2.0 metres wide unobstructed access route.</p> <p>f. A minimum of 1.5m of landscaping shall be provided between the parking area and any lot line.</p> <p>iv) <u>Zone Standards for Detached and Townhouse Dwellings:</u></p> <p>a. Shall be subject to the RMD1*315 zone provisions.</p>
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13.1.1.317	047-2022	RO	*317
<p>PART OF LOT 8, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (SIXTEEN MILE LAND CORP AND YATES LAND (MILTON) CORP.) – TOWN FILE: Z-16/20</p>			
<p>For the lands zoned Residential Office (RO*317) Zone, the following provisions also apply:</p> <p>i) Definitions:</p> <p>For the purpose of this by-law:</p> <p>a) LONG TERM BICYCLE PARKING means bicycle parking spaces located within the building for the use by occupants or tenants of a building;</p> <p>b) SHORT TERM BICYCLE PARKING means bicycle parking spaces for use by visitors to a building and can be provided either inside or outside of the building.</p> <p>ii) Zone Standards:</p> <p>Notwithstanding the regulations of the Residential Office (RO) Zone, Table 6E of Zoning By-law 016-2014 to the contrary, the following zone standards shall apply:</p> <p>a) Maximum Number of Units – 276 units</p> <p>b) Maximum Lot Coverage – 37%</p> <p>c) Minimum Landscaped Open Space – 31%</p> <p>d) Maximum Floor Space Index – 2.2</p> <p>e) For the purposes of this By-law, Louis St. Laurent Avenue shall be considered the front yard.</p> <p>f) Minimum Front Yard Setback – 4.0 metres</p>			

<p>g) Minimum Interior Side Yard Setback (east property line) – 4.5 metres</p> <p>h) Minimum Rear Yard Setback – 7.5 metres</p> <p>i) Notwithstanding the provisions of Section 4.19.5 Table 4H to the contrary, an eaves and gutter encroachment to a maximum of 0.95 metres is permitted.</p> <p>j) Minimum Setback for Parking Areas abutting a Street Line - 4.0 metres.</p> <p>k) Minimum Number of Resident Parking Spaces – 1.17 spaces per unit</p> <p>l) Minimum Number of Visitor Parking Spaces – 0.25 spaces per unit.</p> <p>m) Notwithstanding the provisions of Section 5.1 of Comprehensive Zoning By-law 016-2014 to the contrary, 19 tandem parking spaces are permitted within the underground parking structure.</p> <p>n) Notwithstanding the provisions of Sections 5.1 and 5.8 to the contrary, a maximum 0.15 metre encroachment is permitted within parking spaces for support columns within the underground parking structure.</p> <p>o) Notwithstanding the provisions of Sections 5.1 and 5.8 to the contrary, any encroachment necessary to accommodate an electric vehicle (EV) charging station is permitted.</p> <p>p) Notwithstanding the provisions of Section 5.10 to the contrary, a minimum of 15 short term bicycle parking spaces shall be provided at grade with 41 long term spaces located within the building(s).</p> <p>q) Notwithstanding the provisions of Section 5.14.1, a parking structure can be located no closer than 2.2 metres to a Street Line or Lot Line.</p> <p>All other regulations of the RO Zone of Comprehensive Zoning By-law 016-2014, as amended shall apply</p>
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<b>13.1.1.318</b>	047-2022	FD	<b>*318</b>
PART OF LOT 8, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (SIXTEEN MILE LAND CORP AND YATES LAND (MILTON) CORP.) – TOWN FILE: Z-16/20			
For the lands zoned site specific Future Development (FD*318) zone, the following provisions also apply:			
Zone Provisions:			
<p>i) Notwithstanding Section 12.1 to the contrary, additions to existing buildings and structures and new accessory buildings and structures are not permitted.</p> <p>ii) Notwithstanding Section 12.2 Table 12A to the contrary, the minimum Lot Frontage is 5 metres and the minimum Lot Area is 0.80 hectares.</p> <p>iii) Any buildings and structures in existence on the date of passing of this by-law are deemed to comply with the zoning by-law as they existed on the date of passing of this by-law.</p> <p>iv) Section 4.19.1 i) shall not apply.</p> <p>v) The front lot line is deemed to be the one closest to Yates Drive.</p>			

<b>13.1.1.319</b>	047-2022	FD	<b>*319</b>
PART OF LOT 8, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (SIXTEEN MILE LAND CORP AND YATES LAND (MILTON) CORP.) – TOWN FILE: Z-16/20			
For the lands zoned site specific Future Development (FD*319) zone, the following provision also applies:			
Zone Provisions:			
<ul style="list-style-type: none"> <li>i) Notwithstanding Section 12.2 Table 12A to the contrary, the minimum Lot Frontage is 78 metres and the minimum Lot Area is 0.14 hectares.</li> </ul>			

<b>13.1.1.320</b>	068-2022	RMD2	<b>*320</b>
PART OF LOT 8, CONCESSION 5, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON III-75 LAND LIMITED.) – TOWN FILE: Z-05/18			
a. Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Medium Density 2 – Site Specific (RMD2*320) zone, the following standards and provisions shall apply:			
<ul style="list-style-type: none"> <li>i. Notwithstanding Table 6D, the minimum Lot Depth for a Townhouse Dwelling on a Lane is 25.0 metres;</li> <li>ii. Notwithstanding Table 6D, the minimum Lot Depth for a Back-To-Back Townhouse Dwelling shall be 13.25 metres; and</li> <li>iii. Notwithstanding Table 6D, the minimum Front Yard Setback for a Back-To-Back Townhouse Dwelling shall be 4.0 metres.</li> </ul>			

<b>13.1.1.321</b>	067-2022	M1	<b>*321</b>
BLOCK 7, 20M-1119, FORMER GEOGRAPHIC TOWNSHIP OF EQUESING, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (WHITELAND SERVICES INC.) – TOWN FILE: Z-23/21			
i) Notwithstanding any provisions of the By-law to the contrary, for lands zoned M1*232 the following standards and provisions shall apply:			
<ul style="list-style-type: none"> <li>a. For the purpose of this By-law, Courier Facility means: <ul style="list-style-type: none"> <li>“a <i>building</i> used by a courier service where goods, packages, merchandise, articles, or things are received by transport truck and are sorted and/or transferred to delivery vehicles for local distribution and vice versa, but shall not include a <i>Transportation Terminal</i>.”</li> </ul> </li> </ul>			

<p>b. Additional Permitted Use:</p> <p>Courier Facility</p>
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13.1.1.322	070-2022	RO	*322
<p>PART LOT 13, CONCESSION 1, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (VILLAGE DEVELOPMENT INC. &amp; ORNELLA GROUP INC.) – FILE: Z-17/20</p>			
<p>a. Notwithstanding any provisions of the By-law to the contrary, for lands zoned site specific Residential Office (RO*322) the following standards and provisions shall apply:</p> <p>i. Additional permitted uses: Apartment Building, Hybrid</p> <p>ii. Definitions:</p> <p>For the purpose of this by-law:</p> <p><b>BALCONY</b> means a platform that may be partially enclosed projecting from the main wall of a building which is not supported by vertical uprights other than the wall itself except when located above a porch/veranda, patio or exclusive use driveway and which is only accessible from within the building</p> <p><b>LONG-TERM BICYCLE PARKING</b> means bicycle parking spaces located within the building for the use by occupants or tenants of the building</p> <p><b>SHORT-TERM BICYCLE PARKING</b> means bicycle parking spaces for use by visitors to a building and can be provided either inside or outside of the building</p> <p>iii. Zone Standards:</p> <p>a) Maximum number of apartment dwelling units: 268;</p> <p>b) Minimum front yard setback: 4.6 metres;</p> <p>c) Minimum front yard setback above the 5<sup>th</sup> Storey: 11.0 metres;</p> <p>d) Minimum rear yard setback: 0.0 metres;</p> <p>e) Minimum side yard setback to the north: 3.0 metres;</p> <p>f) Minimum side yard setback to the south: 3.5 metres;</p> <p>g) Maximum lot coverage: 58%</p> <p>h) Minimum landscape open space: 24%</p> <p>i) Maximum floor space index: 3.1</p> <p>j) No portion of any dwelling unit shall be located within 20 metres of the rear lot line;</p> <p>k) A minimum of 4.0 square metres per dwelling unit of communal amenity space shall be provided as outdoor amenity space on the lot and shall be maintained and operated by a common entity;</p> <p>l) No portion of a mechanical penthouse may be within 20 metres of a front lot line and 10 metres of a side lot line.</p> <p>iv. Special Provisions:</p>			

- a) Notwithstanding the provisions of Section 4.5 ii), balconies are permitted in all yards for an Apartment Building and an Apartment Building, Hybrid;
- b) Notwithstanding the provisions of Section 4.19.4, exceptions to Height Requirements, the calculation of Building Height shall be exclusive of mechanical penthouses, rooftop equipment, elevator tower, stair tower and/or architectural features such as parapets and screen walls.
- c) Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirements shall be:
  - i) 1.30 parking spaces per dwelling unit; and
  - ii) plus 0.25 visitor parking spaces per dwelling unit; and
  - iii) a minimum of 11 of the total parking spaces required by i) and ii) above shall be accessible parking spaces.
- d) Notwithstanding Section 5.10 to the contrary, a minimum of 8 of the bicycle parking spaces required shall be provided as short-term bicycle parking spaces.
- e) Notwithstanding Section 5.12 Table 5 L to the contrary, the minimum 2.2 m setback required between a parking area and a building shall not apply between the parking area and the support columns located at the front of the building.
- f) Notwithstanding Section 5.14.1 to the contrary, a below grade parking structure is permitted a minimum setback of 1 m to the front lot line and 0 m to the rear lot line.

13.1.1.323	074-2022	MU	*323
PART OF LOT 6, CONCESSION 2 NS, BLOCK 360, REGISTERED PLAN 20M-1184, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (SHEARLING HEIGHTS ESTATES LTD.) – FILE: Z-15/21			
Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Mixed Use (MU*323), the following provisions shall apply:			
i) Additional Permitted Uses:			
Townhouse Dwellings			
ii) Special Site Provisions:			
a) The lands identified as MU*323 on Schedule A shall be considered one lot for the purposes of administering the Zoning By-law;			
b) Notwithstanding Footnote (*4) to Table 6A-1 to the contrary, the density calculation per net hectare shall include the total number of all dwelling units located on the lot;			
c) Minimum height of a bicycle parking space in a stacked system shall be 1.0m;			
d) An entrance/exit ramp to an underground parking structure shall be setback a minimum of 1.2m from a building;			
e) A loading space shall be setback a minimum of 8.4 m from a public street line;			
f) A loading space shall be setback a minimum of 1.5m from a building;			

- g) The below grade parking structure shall be setback a minimum of 2.5m from a street line or lot line;

iii) Zone Standards for Townhouse Dwellings (Lane Access, All Other Streets):

- a) Notwithstanding Section 6.2 Table 6F, Townhouse Dwellings shall be subject to the zone provisions for the RMDII zone;
- b) A 'unit' or parcel of tied land within a plan of condominium, on which a townhouse dwelling is situated, shall be considered a lot for the purpose of administering the zoning by-law;
- c) The rear lot line shall be the lot line over which the driveway access is provided.
- d) Maximum building height shall be 13.5 m;
- e) Minimum lot depth shall be 23.0 m;
- f) Minimum lot frontage for corner end unit shall be 7.6m;
- g) Minimum rear yard shall be 3.0 m;
- h) Minimum exterior side yard shall be 1.5 m;
- i) Rooftop amenity area shall be permitted as private amenity area;
- j) Notwithstanding Section 5.6.2 iii), a residential driveway shall be setback a minimum of 3 m from a lot line abutting a public street;
- k) Maximum width of a residential driveway, on which a townhouse dwelling unit is situated, shall not exceed the width of the garage face;
- l) A residential driveway leading to an attached garage in the rear yard shall be permitted; and,
- m) Section 5.6.2 viii) b) shall not apply.

iv) Zone Standards for Multiple Dwellings:

- a) Minimum setback from a street line shall be 2.5 m;
- b) Rooftop amenity area shall be permitted as private amenity area;
- c) The Setbacks to All Other Zones and Grade Related Dwellings provision is not applicable;
- d) The Access to at-grade units provision is not applicable; and,
- e) Notwithstanding Section 4.5 to the contrary, balconies shall be permitted in any yard

v) Zone Standards for Mixed Use Buildings and Apartment Buildings:

- a) Maximum building height shall be 12 storeys and 42.0 m;
- b) The Setbacks to All Other Zones and Grade Related Dwellings provision is not applicable;
- c) The access to at-grade units provision shall not apply to apartment dwelling units located at grade that do not have any exterior walls facing a public street;
- d) Where balconies are oriented towards an arterial road, they are permitted above 4.0 m from established grade;
- e) A transformer may project towards a public street beyond the main wall of a building;
- f) All outdoor open space areas shall be considered outdoor communal amenity space; and,
- g) Notwithstanding Section 4.19.5 Table 4H to the contrary, balconies may project a maximum distance of 2.0 m into a required yard.

13.1.1.324	073-2022	RO	*324
<p>BLOCK 41, REGISTERED PLAN 20M-1206, PART OF LOT 7, CONCESSION 2 NS (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON MODERN ART PROPERTIES LIMITED) – FILE: Z-21/20</p>			
<p><b>Residential/Office Special Provision 324 (RO*324) Zone</b></p> <p>Notwithstanding any provisions of the Zoning By-law to the contrary, for the lands zoned site-specific Residential Office (RO*324) the following standards and provisions shall apply to an Apartment Building:</p> <ul style="list-style-type: none"> <li>a. Zone Standards <ul style="list-style-type: none"> <li>i. Lot Coverage (maximum): 38%</li> <li>ii. Rear Yard Setback (minimum): 10.6 metres</li> <li>iii. Interior Side Yard Setback (minimum): 10.5 metres</li> <li>iv. Floor Space Index (maximum): 2.5</li> </ul> </li> <li>b. Special Site Provisions <ul style="list-style-type: none"> <li>i. The underground parking structure may be setback a minimum of 1.5 metres to Clarrige Court street line and shall be able to encroach into a landscape buffer.</li> <li>ii. Parking areas shall be setback a minimum of 3.1 metres from a street line.</li> <li>iii. Balconies shall be permitted to encroach a maximum of 2.0 metres into a required yard.</li> <li>iv. Canopies shall be permitted to encroach a maximum of 2.2 metres into a required yard.</li> <li>v. The minimum width of a one-way drive aisle adjacent to a parking space shall be 3.5 metres.</li> <li>vi. The structure enclosing the parking ramp shall be located a minimum of 3.0 metres from Regional Road 25.</li> <li>vii. The minimum required parking shall be: <ul style="list-style-type: none"> <li>1. Resident Parking Spaces – 321</li> <li>2. Visitor Parking Spaces - 57</li> </ul> </li> <li>viii. Tandem parking spaces are permitted in the underground parking structure and shall be counted toward the required amount of resident parking for the site.</li> </ul> </li> </ul>			



- ix. Mechanical floors and penthouses can be setback a minimum of 1.5 metres from the exterior walls of the floor beneath it.
- x. Required bicycle parking can be provided either at grade, in a stacked rack or in a bicycle locker interior to the building.
- xi. Stacked bicycle parking spaces shall have a minimum vertical clearance of 1.2 m.

13.1.1.326	075-2022	RMD1	*326
PART OF LOTS 11 AND 12, CONCESSION 4 N.S. (TRAFALGAR), IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON, BLOCKS 101, 102, 105, 111-114 ON PLAN 20M-1132, AND PART OF PART 3 ON PLAN 20R-17075 (NADEEM ASLAM AND SAIMA NADEEM) – FILE: Z-28/21			
<p><b>Residential Medium Density 1 – Special Provision 326 (RMD1*326) Zone</b></p> <p>Notwithstanding the special residential provisions of Section 6.3.1.1 of the Zoning By-law to the contrary, the following provisions shall apply:</p> <ul style="list-style-type: none"> <li>i) Special Site Provisions                             <ul style="list-style-type: none"> <li>a. The dwelling face must be a minimum of 36% of the main floor building face.</li> </ul> </li> </ul>			

## 13.2 HOLDING PROVISIONS

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter “H” and a number, such as M2-H1 or A1-H2, no person shall use the land to which the letter (H) applies for any use other than the use which legally existed on the date this By-law was passed or for a model home on a lot within a Draft Approved plan of subdivision, until the (H) Holding Provision is removed in accordance with the policies of the Official Plan and the Planning Act, as amended

*Council* may pass a By-law pursuant to Section 36 of the Planning Act to remove the Holding (H) Symbol, thereby placing the lands in the *zone* indicated by the *zone* symbol, when all of the applicable requirements have been met. For the purposes of this By-law, the following references constitute the conditions for removal:

- “H1” – Shall not be removed until the Town has received a copy of a notice from Halton Region’s Commissioner of Public Works to the owner of the land that either:
  - a) development of the lands is able to proceed by the issuance of a building permit with residential water/waste water capacity, or
  - b) the Milton Release Projects under Halton Region’s Allocation Program will be operational within twelve (12) months of the giving of such notice.
- “H2” – Shall not be removed until a development plan has been provided to the satisfaction of the Town of Milton.
- “H3” – Shall not be removed until a development plan has been provided to the satisfaction of the Town of Milton, which reflects among other matters compliance with urban design guidelines and a high quality of landscape site development abutting Regional Road 25.
- “H4” – Shall not be removed until a Noise Study, a Functional Servicing Report and Plan, a Stormwater Management Report and Plan and a Traffic Study have been submitted and approved to the satisfaction of the Town of Milton.
- “H5” – Shall not be removed until a detailed Woodlot Assessment Study has been submitted and the woodlot boundary has been established to the satisfaction of the applicable *Conservation Authority* and the Town of Milton.
- “H6” – Shall not be removed until a development plan has been provided to the satisfaction of the Town of Milton which reflects among other matters access requirements by the Town and/or Halton Region consistent with the proposed use or uses, compliance with urban design guidelines, a high quality of landscape site development abutting arterial and/or collector roads and a high quality landscape/noise attenuation buffer abutting a residential *zone* or use.
- “H7” – Shall not be removed until:
  - a) The Region of Halton has advised that they are satisfied with the Owner’s Environmental Adaptive Management Plan with respect to the property;
  - b) The conditions in Appendix 4 to report PD-011-08 have been satisfied to the satisfaction of Conservation Halton and Halton Region and the Director of Planning and Development or Town Council is prepared to approve the Site Plan for the development and the use of a golf course on the lands and the

Owner has entered into a site plan agreement with the Town with respect to the golf course and has posted the associated securities, and;

- c) The Owner has satisfied all of its obligations pursuant to the Tree Compensation Agreement between the Owner and the Town.

“H10” – The intent of the holding provision “H10” is to ensure that the Environmental Compliance Approval (ECA) has been granted by the Ministry of the Environment (MOE) for the proposed waste transfer station and/or waste storage facility and that the necessary conditions are attached to the ECA to ensure that the site shall be designed, developed, built, operated and maintained in order to ensure public safety and land use compatibility with surrounding land uses is adequately addressed.

The Holding Provision (H10) shall only apply to the additional permitted uses as noted in Section 13.1.1.168 of this By-law and any other permitted uses shall not be subject to this Holding Provision (H10).

The Holding Provision (H10) shall not be removed until such time as the applicant has demonstrated to the satisfaction of the Town of Milton that the following conditions are included within the MOE ECA, for this site:

- a) Wastes accepted at this facility will only mean solid inorganic wastes consisting of mixed general waste and debris originating from industrial, commercial, institutional, construction and general demolition sources and does not include *hazardous waste*, and/or organic, putrescible and/or domestic wastes.
- b) That the waste accepted be limited to only waste generated from the Province of Ontario.
- c) That the maximum amount of waste permitted to be received at the site daily shall be in an amount less than or equal to 399 metric tonnes.
- d) The total amount of waste present on site at any time shall not exceed 600 metric tonnes.
- e) The maximum amount of annual waste to be received on site shall not exceed 124,488 metric tonnes.
- f) All waste shall be received, processed, stored and transferred within the confines of the building at all times.
- g) That an appropriate dust and odour control system be installed and that it be utilized any time the loading doors are open.
- h) That all doors and windows must be closed at all times except for the minimal period of egress/ingress into and out of the building.
- i) That prior to receiving any waste materials at the facility, that the proponent obtain written approval from the Chief Fire Prevention Officer of the Town of Milton, confirming that the facility is in compliance with all applicable regulations of the Ontario Fire Code and that a Fire Safety Plan be developed and implemented to the satisfaction of the Town of Milton Fire Department.

- j) That the proponent implements onsite spill prevention and containment measures program. That the contingency plans for spills on site and clean up procedures be covered and set out in detail.
- k) That a sufficient bond be provided to the Province for financial assurance for the removal of any materials left on the site should operations end.
- l) That the hours of operation for the waste transfer station/waste storage facility shall be Monday to Friday 7:00 am to 7:00 pm and Saturdays 8:00 am to 4:00 pm. Closed Sundays and holidays.

“H16” – Shall not be removed until:

- a) The Owner submits a Functional Servicing Report to the satisfaction of Conservation Halton and the Region of Halton;
- b) The Owner submits a scoped hydrogeological assessment in conjunction with a geotechnical report to address groundwater impacts to the adjacent tributary and the Redside Dace habitat to the satisfaction of Conservation Halton;
- c) The Owner submits a Stormwater Management Report to the satisfaction of Conservation Halton and the Town of Milton;
- d) The Town of Milton has received a copy of a notice from Halton Region’s Commissioner of Public Works to the owner of the land that adequate water/wastewater capacity exists and development of the lands is able to proceed by the issuance of a building permit;
- e) The construction of the realigned No. 5 Side Road is completed in front of the subject lands to allow for adequate frontage and access; and,
- f) The applicant has provided a “Letter of Reliance” to the satisfaction of the Town of Milton and the Region of Halton in regard to the environmental reports that were prepared as part of the subdivision application (24T-88027M) for these lands.

“H18” – Shall not be removed until the relevant Subwatershed Impact Study and the storm water management pond design have been approved to the satisfaction of Conservation Halton and the Town of Milton.

“H19” – The “H” symbol shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following conditions have been satisfied:

- a) The Town of Milton has received a copy of a notice from Halton Region’s Commissioner of Public Works to the owner of the land that adequate water/wastewater capacity exists and development of the lands is able to proceed by the issuance of a building permit; and,
- b) The Town of Milton is satisfied that the owner has met all requirements associated with the Bristol Survey Secondary Plan Financial Agreement.

“H20” – Shall not be removed until a Traffic Impact Study has been provided to the satisfaction of the Town of Milton.

“H22” – Shall not be removed until:

- a) A heritage conservation plan prepared by a qualified built heritage

- b) expert to the satisfaction of the Town of Milton;
- c) A concept plan and detailed architectural drawings have been
- d) prepared to the satisfaction of the Town of Milton;
- e) A plaque or commemorative feature explaining the heritage
- f) significance and the relationship to the site to the satisfaction of the
- g) Town of Milton; and,
- h) A site plan agreement or other development agreement has been
- i) entered into with the Town of Milton, and all securities have been
- j) posted for including for any on-site and/or off-site works utilizing the
- k) salvaged heritage features.

“H23” – Shall not be removed until a site plan or other development plan has been provided to the satisfaction of the Town, which demonstrates that an enhanced level of berming, landscaping and urban design along James Snow Parkway can be provided.

“H24” – Shall not be removed until:

- a) Design and/or construction of the 16 Mile Creek Crossing and roundabout on Whitlock Avenue has progressed to a stage acceptable to the Town of Milton.

“H25” – Shall not be removed until:

- a) The road connections are extended into the adjacent subdivision to the satisfaction of the Town of Milton.

“H26” – Shall not be removed until the Regional Storm Floodplain and the associated 15 metre setback have been removed from the lands to the satisfaction of Conservation Halton.

“H27” – Shall not be removed until:

- a) The Owner secures regional servicing allocation to the satisfaction of Halton Region; and
- b) A Ministry of Environment acknowledged Record of Site Condition (RSC) is secured for the proposed residential use of the lands to the satisfaction of Halton Region.
- c) The Owner must demonstrate to the satisfaction of the Town of Milton that they will be able to achieve all proposed TDM measures outlines in the 7480 Derry Road West Traffic Impact Study dated June 6, 2018 by GHD including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the above TDM measures are the responsibility of the Owner.

“H28” – Shall not be removed until:

- a) The Owner has submitted an Ontario regulation 153/04 compliant Phase Two Environmental Site Assessment (ESA) report(s) to the Halton Region for review;
- b) The author of the ESA reports, submitted to the Region, has extended third party reliance to Halton Region; and,

- c) If recommended in the ESA report(s), the Owner has secured, and submitted to Halton Region, a Ministry of the Environment (MOE) acknowledged Record of Site Condition (RSC) that is certified by a qualified person as defined in Ontario regulation 153/04 and indicates that the environmental condition of the site is suitable for its proposed land use.
- “H29” – Shall not be removed until the Owner has submitted a revised Traffic Impact Study and addressed all outstanding traffic concerns, prior to site plan approval, to the satisfaction of the Town.
- “H34” – Shall not be removed until:
- a) Roundabout and/or intersection design is approved, or earlier if progressed to a stage acceptable to the Town of Milton.
- “H35” – Shall not be removed until:
- a) The subject lots/blocks have been consolidated with lots/blocks on adjacent plan(s) of subdivision and each of the resulting consolidated parcels is in compliance with the minimum lot frontage, depth and area (where applicable) requirements of the applicable zoning by-law.
- “H36” – Shall not be removed until:
- a) A permit has been issued by Conservation Halton for the design and/or construction of the rain garden and any associated works necessary to achieve an appropriate water balance for the adjacent wetland located within woodlot Block 599.
- “H38” – Shall not be removed until:
- a) The boundary of the Natural Heritage System (NHS) that includes Provincially Significant Wetland Block 386, and Wetland Buffer Blocks 387 and 388 has been confirmed to the satisfaction of the Town of Milton and Conservation Halton.
- “H39” – Shall not be removed until:
- a) A facility fit plan for Block 383 has been provided to the satisfaction of the Town of Milton.
- “H40” – Shall not be removed until:
- a) Regional Servicing Allocation has been secured to the satisfaction of Halton Region and the Town of Milton.
- “H41” – Shall not be removed until:
- i) The stormwater management pond and associate outfall structure has been sized and designed to the satisfaction of the Town of Milton and Conservation Halton; and
  - ii) The Town of Milton is satisfied through detailed design that there is adequate lands for the grading requirements and development of the proposed trail

along the limits of development located to the east of these lots along 16 Mile Creek.

“H42” – Shall not be removed until:

- a) The Town of Milton is satisfied through detailed design that there is adequate lands for the grading requirements and development of the proposed trail along the limits of development located to the east of these lots along 16 Mile Creek.

“H43” – Shall not be removed until:

- i) The subject lots/blocks have been consolidated with lots/blocks on adjacent plan(s) of subdivision and each of the resulting consolidated parcels is in compliance with the minimum lot frontage, depth and area (where applicable) requirements of the applicable zoning by-law; and
- ii) Such time that the temporary turning circle on Primrose Crescent is no longer required and the road is constructed to the Town’s satisfaction.

“H44” – Shall not be removed until:

- i) The relevant Sub-watershed Impact Study (SIS) Area 5B addendum be submitted and approved to the satisfaction of Conservation Halton, the Region of Halton, and the Town of Milton; and
- ii) The natural hazards (floodplain and/or erosion hazard) and the associated regulatory allowance have been removed from the lands to the satisfaction of Conservation Halton.

“H49” - Shall not be removed until:

- a) The submission of a Letter of Reliance for the Phase 1 and Phase 2 Environmental Site Assessment pursuant to Ontario Regulation 153/04, and a Ministry of Environment and Climate Change acknowledged Record of Site Condition (RSC) is secured to the satisfaction of the Town of Milton and Halton Region;
- b) The Owner must demonstrate to the satisfaction of the Town of Milton that they will be able to achieve all proposed Transportation Demand Management (TDM) measures outlined in the 28-60 Bronte Street North Transportation Impact and Parking Study Update dated February 2021 by Paradigm Transportation Solutions Limited, including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the TDM measures are the responsibility of the Owner. The TDM measures are as follows:
  - (i) The provision of a minimum of 430 long-term secure bicycle parking spaces plus 35 at-grade short-term visitor bicycle parking spaces. The long-term bicycle parking areas must be locked and have access permitted to residents only. The bicycle parking facilities must comply with the City of Toronto’s Guidelines for the Design and Management of Bicycle Parking Facilities. The bicycle parking spaces must be shown

on the plans including details of the bicycle lockers/racks;

- (ii) The Owner agrees to charge for parking as a separate cost to occupants. All units are to be unbundled from parking spaces. The purchase/rental agreement between the occupant and the property owner must be provided noting the cost of a parking space and the ability for occupants to opt in or out of having a parking space; and
- (iii) The Owner agrees to provide active uses at-grade along street frontages.
- c) That the Owner receives confirmation from the Region of Halton that sufficient water and wastewater capacity as well as sufficient storage and pumping facilities and associated infrastructure, related to both water and wastewater, exist and are in place to accommodate the development.
- d) The Owner submits an updated Noise Study and Vibration Study and implements any recommendations to the satisfaction of the Town of Milton and the Region of Halton;
- e) The Owner has made site plan application, including detailed design drawings and has entered into a site plan agreement to the satisfaction of the Town of Milton;
- f) The Owner provides an updated Pedestrian Wind Study as part of the site plan application to the satisfaction of the Town of Milton.

“H50” - Shall not be removed until:

- a) A site plan or other development plan has been provided to the satisfaction of the Town, which demonstrates that an enhanced level of berming and/or landscaping and urban design along James Snow Parkway can be provided; and
- b) A Noise Study is submitted to the satisfaction of the Town of Milton and Region of Halton

“H51” - Shall not be removed until:

- a) A Noise Study is submitted to the satisfaction of the Town of Milton and Region of Halton

“H52” - Shall not be removed until:

- a) The grading design for the trail adjacent to Apple Terrace and Lots 139 and 140 has reached a stage acceptable to the Town of Milton.

“H53” - Shall not be removed until:

- a) A detailed conceptual site plan is prepared to the satisfaction of the Town and that ensures that the urban design and landscape treatments are completed in accordance with the Town’s requirements under both the Fifth



Line being maintained in the Town's control and the alternative scenario where the Region of Halton uploads a portion of this road to be a Regional Road through their 5 ½ Line Study.

"H55" - Shall not be removed until:

- a) Municipal water and wastewater capacity and the ability to connect to municipal services is confirmed by the Region of Halton.

"H56" Shall not be removed until:

- a) The submission of a Letter of Reliance for the Phase 1 and Phase 2 Environmental Site Assessment pursuant to Ontario Regulation 153/04, and a Ministry of Environment and Climate Change acknowledged Record of Site Condition (RSC) is secured to demonstrate that the lands are suitable for the proposed residential development.

"H57" Shall not be removed until:

- a) An updated Transportation Impact Study has been reviewed and approved by the Region in accordance with the Region's Transportation Impact Study Guidelines and approved Terms of Reference for the lands.
- b) A satisfactory site plan for the proposed development approved by the Region which complies with the Region's Access Management Guideline and Access By-law No. 32-17 demonstrating the minimum spacing requirement of 300 metres for full movement accesses and 115 metres for right-in/right-out (RI/RO) accesses on Regional Roads.

"H69" Shall not be removed until:

- a) The Owner submits an updated noise mitigation report and implements any recommendations to the satisfaction of CN Rail.
- b) The Owner has provided a suitable storm water outlet to the satisfaction of the Town of Milton.

"H71" Shall not be removed until a site plan application has been approved by the Town of Milton including a Sun-Shadow Analysis, a Pedestrian Impacts Wind Study, and an Urban Design Brief, where required, and the Owner has entered into a site plan agreement with the Town with respect to the proposed development and has posted the associated securities.

"H72" Shall not be removed until a Noise and Vibration Study associated with a site plan application for development on lands abutting the CP rail line has been conducted and written confirmation has been provided by a qualified acoustical engineer that the required noise mitigation measures have been completed in accordance with the approved Study.

- “H73” Shall not be removed until a Land Use Compatibility Study associated with a site plan application for development of a sensitive land use within the area of influence of a major facility has been conducted and any pre-construction mitigation measures that are required are completed.
- “H74” Shall not be removed until an Employment Study associated with a site plan application for the redevelopment of an existing non-residential use or building has been provided to the satisfaction of the Town of Milton and the Region of Halton. The Employment Study will be required to assess the existing or potential number of jobs accommodated on the proposed development site and demonstrate how a similar number of jobs will be accommodated in the same Zones to which this holding provision applies. The hold shall not be removed until the owner has entered into a site plan agreement to provide the replacement non-residential use(s) or building.

Zones with Holding Provisions are identified in Section 13.2.1 of this By-law.

**13.2.1. List of Holding Provisions**

The following holding provisions apply to the properties specified:

<b>Section No.</b>	<b>Zoning Designation(s)</b>	<b>By-law No.</b>	<b>Conditions for Removal</b>	<b>Date Enacted / Date Lifted</b>
Property Address and/or Legal Description				
Permitted Uses (Prior to "H" Being Lifted)				
<b>13.2.1.1</b>	M2	61-85 36-95	H1	Apr 18, 1995 / May 25, 2004
Blocks 15 & 16, Plan 20M-530, Part of Lot 4, Concession 3				
a) a use that would otherwise be permitted in an M2 Zone that does not require the use of water or the discharge of wastewater				
b) a parking lot as long as there is no requirement for water or wastewater discharge				
<b>13.2.1.2</b>	I-A*12	61-85 34-2002	H1	March 25, 2002 / June 25, 2007 (lifted)
6620 Thompson Road				
a) <i>Place of Worship</i>				
b) <i>Day Care Centre</i>				
c) Memorial garden with columbarium				
d) Recreational uses				
e) <i>Place of Assembly</i>				
f) <i>Private School</i>				
g) Other non-commercial uses to serve the surrounding community.				
<b>13.2.1.3</b>	C5*18	61-85 99-95	Conditions for Removal	November 6, 1995
North of 401 Lands (certain parcels)				
a) Automobile display and sales; and,				
b) <i>Accessory buildings and structures</i> that do not require water and wastewater services.				
<b>13.2.1.4</b>		61-85	H1	
S/S Steeles Avenue, west of Ontario Street Part of Lot 15, Conc 2 NS (Abandoned Rail Line / Jim Gorman)				
N/A				
<b>13.2.1.6</b>	C4*32	61-85	H1	October 20, 2003
Lotts				
<b>SUBJECT TO BY-LAW 144-2003</b>				

<b>13.2.1.7</b>	C6	61-85	H3	
Durante (Highpoint)				
a) <i>Industrial use</i> b) <i>Motor vehicle service station</i> c) <i>Restaurant with a maximum of 1 drive-through service facility, and</i> d) <i>Vehicle rental agency</i>				
<b>13.2.1.8</b>	M2	61-85	H1	
Part of Lot 5, Conc 3 (Oshawa Properties)				
N/A				
<b>13.2.1.9</b>	C5	61-85	H3	
SE corner James Snow Parkway & Regional Road 25 (Durante)				
a) Existing <i>Uses</i>				
<b>13.2.1.10</b>	C5*34	61-85	H2	
8619 Regional Road 25 (Kelly & Barry Dennis)				
a) Existing <i>Uses</i> b) <i>Service &amp; Repair Shop</i>				
<b>13.2.1.11</b>	M1 & M2	61-85 84-2005	H4	/ July 18, 2005 (Lifted)
Part Lots 4 & 5, Conc 2 (Esquesing) (Best Pipe) (991045 Ontario Ltd. & Harry Snoek)				
N/A				
<b>13.2.1.12</b>	M1 & M2	61-85 60-2005	H4	/May 24, 2005 (Lifted)
Part of Lots 1 & 2, Conc IV (Esquesing) (991045 Ontario Ltd. & Total Developments International Inc.)				
N/A				
<b>13.2.1.13</b>	M2	61-85	H4	
Part of Lot 4, Conc 2 (Esquesing) (CIBC lands)				
N/A				
<b>13.2.1.14</b>	C6*43	24-2004	H1	March 29, 2004
Bronte Street North Part of Lot 14, Conc 2, NS (Canadian National Railway – Dennis Durante In Trust)				
N/A				
<b>13.2.1.15</b>	UGC-MU*51	OMB Decision / Order No. 1762	H2	November 9, 2004
805 Nipissing Road (St. Marys Cement)				
a) A concrete batching plant and <i>accessory uses, buildings and structures, including accessory office uses and parking.</i>				

<b>13.2.1.16</b>	RMD2	OMB Decision / Order No. 1762	H5	May 24, 2005 / February 27, 2006
Part of Lot 10, Conc IV (Trafalgar) (TRANSCON PROPERTIES LTD.)				
a) Legally established existing uses only				
<b>13.2.1.19</b>	C2*119	83-2008	H1 & H2	July 21, 2008
6432 First Line Part Lot 8, Conc 1 (Trafalgar) (Manaman Centre Inc)				
N/A				
<b>13.2.1.20</b>	RMD1*104 RMD1*109	100-2008	H1	August 18, 2008 /
Part of Lots 9 and 10, Concession I NS (Trafalgar) (Mattamy Brownridge Limited)				
N/A				
<b>13.2.1.21</b>	RMD2*80	102-2008 041-2010	H1	August 18, 2008 / March 29, 2010 (Lifted)
Part of Lot 13, Conc I NS (Trafalgar)				
N/A				
<b>13.2.1.22</b>	C3*131	4-2009 120-2011	H6	January 26, 2009 / Nov 21, 2011
E/S Tremaine Rd, between Main St & Derry Rd Part Lot 13, Conc 1 NS (Trafalgar)				
N/A				
<b>13.2.1.23</b>	RMD1*130	4-2009	H1	January 26, 2009 / July 19, 2010
E/S Tremaine Rd, between Main St & Derry Rd Part Lot 13, Conc 1 NS (Trafalgar)				
N/A				
<b>13.2.1.24</b>	RLD*129	4-2009	H1	January 26, 2009 / July 19, 2010
E/S Tremaine Rd, between Main St & Derry Rd Part Lot 13, Conc 1 NS (Trafalgar)				
N/A				

<b>13.2.1.25</b>	C5*4, GC*4, NHS, NHS*4a, NHS*4b, NHS*4aa, NHS*4bb, OS, OS*4	101-2009	H7	July 20, 2009
9430 Guelph Line (Mohawk Racetrack – Woodbine Entertainment Group)				
<b>SUBJECT TO 144-2003</b>				

<b>13.2.1.27</b>	RHD*68	040-2010	H1	March 29, 2010
<b>DELETED SECTION</b>				

<b>13.2.1.28</b>	RMD2*149	084-2010 80-2011	H1	June 28, 2010 / Aug 15, 2011
Lot 7 of the draft plan of subdivision, for the lands consisting of part of the north east half of Lot 10, Concession I, NS				
1. only legally established existing <i>uses</i> are permitted until the conditions for removal identified in the “H1” Holding provision are satisfied				

<b>13.2.1.32</b>	UGC-MU	012-2011	H2	Jan 24, 2011
494-545, 547-555, 583, 593, 601-647, 655, 701-723, 725-747, 751,761, 775, 781, 785, 801, 821, 845, 863, 885 AND 925 MAIN STREET AND 18 THOMPSON ROAD				
<p>1. Permitted Uses</p> <ul style="list-style-type: none"> <li>• <i>Artist Studio</i></li> <li>• <i>Commercial School – Skill</i></li> <li>• <i>Fitness Centre</i></li> <li>• <i>Laundromat (only in first storey of a building)</i></li> <li>• <i>Office Use</i></li> <li>• <i>Office Building</i></li> <li>• <i>Personal Service Shop (only in first storey of a building)</i></li> <li>• <i>Retail Store 1*</i> (only permitted to a maximum of 25% of total gross floor area of all buildings on the lot.)</li> <li>• <i>Vet Clinic – Small Animal</i></li> </ul> <p>Footnotes to List Above *1 and *2</p> <p>*1) Notwithstanding Tables 7A, 7D and 7E of By-law 144-03 , as amended, the above noted permitted uses shall not be subject to compliance with the applicable zone standards and provisions.</p> <p>*2) All permitted uses shall still be subject to the parking requirements as set out in Section 5 of By-law 144-03, as amended.</p>				

<b>13.2.1.34</b>	RLD*113	112-2011	H1	/ Oct 24, 2011

<b>13.2.1.36</b>	OS*137	104-2013	H2	Sept 23, 2013
PART OF LOT 1, CONCESSION 2, GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON				
<b>SUBJECT TO BY-LAW 144-2003</b>				

<b>13.2.1.36</b>	A1*177	111-2013	H2	Sept 23, 2013
PART OF LOTS 8, 9 & 10, CONCESSION 9, NS, FORMER TOWNSHIP OF TRAFALGAR (UNION GAS COMPRESSOR STATION)				
<b>SUBJECT TO BY-LAW 144-2003</b>				

<b>13.2.1.37</b>	A*177 OS*178	111-2013	H9	Oct 28, 2013
PART OF LOTS 8, 9 & 10, CONCESSION 9, NS, FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON (UNION GAS COMPRESSOR STATION),				
<b>SUBJECT TO BY-LAW 144-2003</b>				

<b>13.2.1.38</b>	M2*168	132-2013 OMB Order Mar. 31/14 (PL121161) & Oct. 16/14 (PL140294)	H10	March 31, 2014
281 Alliance Road Part of Lot 1 Conc. 3 (Esquesing) (Victoria Hill)				
The Holding Provision (H10) shall only apply to the additional permitted uses as noted in Section 13.1.1.168 of this By-law and any other permitted uses shall not be subject to this Holding Provision (H10).				
<b>i) Permitted Uses</b>				
a) For lands zoned site-specific General Industrial (M2*168), the property description being 281 Alliance Road, only General Industrial (M2) uses are permitted until conditions for the removal identified in the “H10” holding provision are satisfied.				

<b>13.2.1.47</b>	M1	64-2014	H16	June 30, 2014
7450 NO. 5 SIDE ROAD, BLOCK 7 ON PLAN 20M-1119, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING (TOWN FILE: Z-01/14)				
For lands zoned Business Park (M1), the property description being 7450 No. 5 Side Road, Block 7 on Plan 20M-1119, Business Park (M1) uses are not permitted until the conditions for removal identified in the “H16” holding provision are satisfied.				

<b>13.2.1.50</b>	RMD1*207 RMD1*208 RMD1*209	028-2015	H18	Apr 13, 2015
PART OF LOT 6, CONCESSION 2, N.S., (TRAFALGAR), MATTAMY (MILTON WEST) LIMITED, FILE Z-04/14 (24T-14002M)				
The subject lands shall not be used for a model home(s) on a lot or block within a draft approved plan of subdivision				

<b>13.2.1.51</b>	UGC-MU*225	099-2015	H19	Nov 23, 2015 /Feb 26, 2018
1050 MAIN STREET EAST, PART OF LOT 13, CONCESSION 4 (NEW SURVEY) FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGION OF HALTON (FILE: Z-04/15)				
<b>Removed February 26, 2018, By-law 020-2018</b>				
a) Permitted Uses (Prior to “H” Removal):				
For such time as the “H” symbol is in place, these lands shall only be used for existing uses, buildings and structures.				
b) Regulations (Prior to “H” Removal):				
For such time as the “H” symbol is in place, these lands shall be subject to the regulations to which they were subject under By-law 016-2014, as amended, on the day before By-law 099-2015 was approved by the Town of Milton.				

<b>13.2.1.52</b>	RMD1*223	119-2015	H18	Dec 14, 2015
PART OF LOT 6, CONCESSION 2 (TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MAIN SAIL ESTATES INC. (TOWN FILE: Z-09/14)				
<b>Removed September 26, 2016, By-law 078-2016</b>				
For part of the lands zoned a site-specific Residential Medium Density 1 (RMD1*223), on the property located north of Britannia Road and west of Bronte Street South only legally established existing uses are permitted until the conditions for removal identified in the “H18” Holding provision are satisfied.				



<b>13.2.1.54</b>	(I-A*H20)	086-2016	H20	October 24, 2016/January 15, 2018
PART OF LOT 6, CONCESSION 2 (TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MAIN SAIL ESTATES INC. (TOWN FILE: Z-09/14)				
<b>HOLDING PROVISION HAS BEEN LIFTED</b>				

<b>13.2.1.55</b>	M1*237-H23	026-2017 034-2021 096-2021	H23	March 6, 2017/ May 3, 2021 Oct 25, 2021
PART OF LOT 12, CONCESSION 5 (NEW SURVEY) FORMER TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - (ORLANDO CORPORATION) FILE Z-01/15				
For lands zoned site-specific Business Park with holding provision (M1*237-H23), the H23 holding provision shall apply and shall not be removed until a site plan or other development plan has been provided to the satisfaction of the Town, which demonstrates that an enhanced level of berming, landscaping and urban design along James Snow Parkway can be provided.				
<b>REMOVED BY BY-LAW 034-2021 FOR A PORTION OF THE LANDS REMOVED BY-LAW 096-2021 FOR THE REMAINDER OF THE LANDS</b>				

<b>13.2.1.55</b>	MU*305-H55	084-2021	H55	Sep 13, 2021 /May 9, 2022
PART OF LOT 6, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR AND MUNICIPALLY KNOWN AS 8175 BRITANNIA ROAD IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - (FERNBROOK HOMES (MILTON ONE) LIMITED) FILE Z-10/20				
For the lands zoned site-specific Mixed Use (MU*305-H55) Zone on the property legally described as Part of Lot 6, Concession 3, (Trafalgar) only legally established existing uses are permitted on the lots covered by "H55" until the conditions for removal identified in the "H55" Holding provision are satisfied.				

<b>13.2.1.57</b>	RMD1*252-H24	053-2018 019-2019 096-2021	H24	May 28, 2018/ March 4, 2019 Oct 25, 2021 June 20, 2022
PARTS 1, 2 AND 3, AND A PORTION OF PART 4 ON PLAN 20R-18391, BEING PART OF LOT 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (BROWNRIDGE) LIMITED) - FILE Z-06/15				
<b>REMOVED MARCH 4, 2019 BY BY-LAW 019-2019 FOR BLOCKS 175 AND 187, 20M-1209 REMOVED OCT 25, 2021 BY BY-LAW 096-2021 FOR LOTS 1, 2 AND 3 ON THE DRAFT APPROVED PLAN OF SUBDIVISION (24T-21002/M). REMOVED JUNE 20, 2022 BY BY-LAW 061-2022 FOR LOTS 4-12, PLAN 20M-1239.</b>				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*252) on the property legally described as Part of Lot 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the "H24" Holding provision are satisfied.				

<b>13.2.1.58</b>	RMD1*252-H25	053-2018 096-2021	H25	May 28, 2018 Oct 25, 2021
PARTS 1, 2 AND 3, AND A PORTION OF PART 4 ON PLAN 20R-18391, BEING PART OF LOT 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (BROWNRIDGE) LIMITED) - FILE Z-06/15				
<b>REMOVED OCT 25, 2021 BY BY-LAW 096-2021 FOR LOTS 70, 71, 72 AND 170 ON PLAN 20M-1209.</b>				
For the lands zoned a site-specific Residential Medium Density (RMD1*252) zone, on the property legally described as Part of Lot 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H25” Holding provision are satisfied.				

<b>13.2.1.59</b>	RHD*68-H22	107-2017 047-2018	H22	Nov. 13, 2017/ May 7, 2018
BLOCK 36, PLAN 20M-1030, MUNICIPALLY IDENTIFIED AT 1287 COSTIGAN ROAD, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (VALERI DEVELOPMENT INC.) - TOWN FILE Z-07/16				
<b>HOLDING PROVISION HAS BEEN LIFTED</b>				

<b>13.2.1.60</b>	I-B*254-H26	069-2018	H26	July 23, 2018
PARTS 1, 2, 3 AND 4, PLAN 20R-20866, PART OF LOTS 6 and 7, CONCESSION 1, N.S., (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON DISTRICT SCHOOL BOARD) FILE Z-16/17				
For those portions of the lands zoned a site-specific Major Institutional zone (I-B*254) and subject to the “H26” holding provision, the property description being part of Part 1, Part 2, and part of Part 3, Plan 20R-20866, only legally established existing uses are permitted until the conditions for removal identified in the “H26” Holding provision are satisfied.				

<b>13.2.1.61</b>	RMD2*255-H27	085-2018 094-2021	H27	Aug. 27, 2018 Oct 25, 2021
PART OF LOT 10, CONCESSION 2 FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY IDENTIFIED AS 7480 DERRY ROAD WEST (FGL DERRY INC) TOWN FILE: Z-10/17				
For those portions of the lands zoned a site-specific Residential Medium Density zone (RMD2*255) and subject to the “H27” holding provision, only legally established existing uses are permitted until the conditions for removal identified in the “H27” Holding provision are satisfied.				

<b>13.2.1.62</b>	I-B*254-H28	069-2018	H28	July 23, 2018/March 4, 2019
PARTS 1, 2, 3 AND 4, PLAN 20R-20866, PART OF LOTS 6 and 7, CONCESSION 1, N.S., (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON DISTRICT SCHOOL BOARD) FILE Z-16/17				
<b>REMOVED MARCH 4, 2019 BY BY-LAW 020-2019</b>				
For those portions of the lands zoned a site-specific Major Institutional zone (I-B*254) and subject to the “H28” holding provision, the property description being part of Part 3 and Part 4, Plan 20R-				

20866, only legally established existing uses are permitted until the conditions for removal identified in the “H28” Holding provision are satisfied.

<b>13.2.1.63</b>	I-B*254-H29	069-2018	H29	July 23, 2018/Sept. 24, 2018
PARTS 1, 2, 3 AND 4, PLAN 20R-20866, PART OF LOTS 6 and 7, CONCESSION 1, N.S., (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON DISTRICT SCHOOL BOARD) FILE Z-16/17				
<b>REMOVED SEPTEMBER 24, 2018 BY BY-LAW 106-2018</b>				
For those portions of the lands zoned a site-specific Major Institutional zone (I-B*254) and subject to the “H29” holding provision, the property description being part of Part 1 and 3 and Part 4, Plan 20R-20866, only legally established existing uses are permitted until the conditions for removal identified in the “H29” Holding provision are satisfied.				

<b>13.2.1.65</b>	UGC-MU	022-2019	H31	Mar 4, 2019/ Mar 6, 2023
PART OF LOT 13, CONCESSION 3 NS (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - (JACAL HOLDINGS LTD.) – TOWN FILE Z-12/16				
For lands with Holding Provision H31, the H31 holding provision shall apply and shall not be removed until:				
<p>a) The submission of a Letter of Reliance for the Phase 1 and Phase 2 Environmental Site Assessment pursuant to Ontario Regulation 153/04 and a MOECC acknowledged Record of Site Condition (RSC) is secured to demonstrate that the lands are suitable for the proposed residential use to the satisfaction of Halton Region.</p> <p>b) The Owner must demonstrate to the satisfaction of the Town of Milton that they will be able to achieve all proposed TDM measures outlined in the 130 Thompson Road Traffic Impact Study dated December 17, 2018 by GHD, including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the TDM measures are the responsibility of the Owner. The TDM measures are as follows:</p> <p>(i) The provision of a minimum of 600 long-term secure bicycle parking spaces plus at-grade short-term visitor bicycle parking spaces. The long-term bicycle parking areas must be locked and have access permitted to residents only. The bicycle parking facilities must comply with the Town of Ajax and /or City of Toronto Bicycle Parking Guidelines. The bicycle parking spaces must be shown on the plans including details of the lockers/racks</p> <p>(ii) The provision of a minimum of one (1) car share vehicle and dedicated car share parking space (above resident/visitor parking requirements) in a priority location that is accessible to residents. Proof of how the car share program will be facilitated will be required. It must also be noted in the purchase/rental agreement which must be provided to the Town for review.</p>				

- (iii) The provision of subsidized GO Transit (PRESTO) cards at a rate of one (1) pre-loaded PRESTO card per unit for a period of two (2) years. Each pre-loaded PRESTO card shall be provided upon occupancy of a unit. The availability of the pre-loaded PRESTO cards must be noted in the purchase/rental agreement which must be provided to the Town for review.
  - (iv) The Owner agrees to charge for parking as a separate cost to occupants. All units are to be unbundled from parking spaces. The purchase/rental agreement between the occupant and the property owner must be provided noting the cost of a parking space and the ability for occupants to opt in or out of having a parking space
  - (v) The Owner agrees to provide active uses at-grade along street frontages
- c) The Owner submits an updated noise mitigation report and implements any recommendations to the satisfaction of the Town of Milton and that the owner provide confirmation by a qualified acoustical engineer that the required noise mitigation measures have been constructed to address the stationary noise sources and meet Class 1 under NPC-300.
- d) The Owner has made site plan application, including detailed design drawings and has entered into a site plan agreement to the satisfaction of the Town of Milton.
- e) The Owner provides an updated pedestrian wind study as part of the site plan application to the satisfaction of the Town of Milton.

<b>13.2.1.66</b>	RMD2*260-H32	043-2019 052-2020	H32	June 24, 2019/June 17, 2020
PART OF LOT 10, CONCESSION 1, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY IDENTIFIED AS 710 BRONTE STREET SOUTH (HOWLAND GREEN (BRONTE WEST) LIMITED) - TOWN FILE: Z-13/17				
<b>REMOVED JUNE 17, 2020 BY BY-LAW 052-2020</b>				
For lands with Holding Provision H32, the H32 Holding Provision shall apply and shall not be removed until:				
<p>a) The Owner secures Regional servicing allocation to the satisfaction of Halton Region.</p> <p>b) The Owner must demonstrate to the satisfaction of the Town of Milton that they will be able to achieve all proposed TDM measures outlined in the Updated TIS Addendum Letter dated April 10, 2019 by WSP including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the TDM measures are the responsibility of the Owner. The TDM measures are as follows:</p> <ul style="list-style-type: none"> <li>i. The provision of a minimum of 53 bicycle parking spaces. The design of the bicycle parking facilities must comply with the City of Toronto’s Bicycle Parking Guidelines.</li> <li>ii. The implementation of a multi-use path (MUP) along the westerly limit of the subject site. The MUP must be built to the Town of Milton specifications and to the satisfaction of the Town. This must be shown on the plans with all pertinent details provided.</li> <li>iii. The implementation of three concrete sidewalk connections from the sidewalks on Megson Terrace to the multi-use path on Bronte Street South. The sidewalk must be built to Town of Milton specifications and to the satisfaction of the Town.</li> <li>iv. The provision of Introductory Transit Packages at a rate of ten (10) Milton Transit Single-Ride Tickets per unit. The bus tickets shall be provided upon occupancy of a unit. The Owner must enter into a contractual agreement with Milton Transit. The Town will look to recover any fees associated with drafting this agreement from the Owner. The availability of the bus tickets must also be noted in the condo/lease agreement which must be provided to the Town for review.</li> </ul> <p>c) The Owner provides to the satisfaction of the Town, an easement in favour of the Town, over the proposed park area for the provision of providing privately owned, publicly accessible landscaped open space for the use and enjoyment of new residents and the existing community.</p>				

<b>13.2.1.67</b>	RHD*261	063-2019 049-2021	H33	June 24, 2019 /June 7, 2021
PART OF LOT 10, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - BRIARWOOD (MILTON TOWERS) LTD. & BRIARWOOD (MILTON GREENFIELDS) LTD. (TOWN FILE: Z-12/17)				
For lands with Holding Provision H33, the H33 Holding Provision shall apply and shall not be removed until:				
<p>a) Regional Servicing Allocation has been secured to the satisfaction of the Region of Halton. This holding provision does not apply to lands located within the Delineated Built Boundary and described as Part 2, on Plan 20R-2396.</p> <p>b) The Owner must demonstrate to the satisfaction of the Town of Milton that they will be able to achieve all proposed TDM measures outlined in the Proposed Residential Development –</p>				

Derry Road at Regional Road 25 Traffic Impact and Parking Study dated May 2019 by GHD, including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the TDM measures are the responsibility of the Owner. The TDM measures are as follows:

- The provision of a minimum of 363 long-term secure bicycle parking spaces plus 23 at-grade short-term visitor bicycle parking spaces. The long-term bicycle parking areas must be locked and have access permitted to residents only. The bicycle parking facilities must comply with the City of Toronto Bicycle Parking Guidelines. The bicycle parking spaces must be shown on the plans including details of the lockers/racks;
  - The provision of a minimum of one (1) car share vehicle and dedicated car share parking space (above resident/visitor parking requirements) in a priority location that is accessible to residents. Proof of how the car share program will be facilitated will be required. It must also be noted in the purchase/rental agreement which must be provided to the Town for review.
  - The Owner agrees to provide all occupants subsidized Milton Transit passes at a rate of one (1) annual bus pass (or equivalent) per unit for a period of two (2) years. Each bus pass shall be provided upon occupancy of a unit and the rental agreement between the tenant and property owner must note the availability of the subsidized transit passes. The Owner agrees that, prior to the release of the required letter of credit or other securities held by the Town in accordance with this agreement, they are to enter into a contractual agreement with Milton Transit.
  - The Owner agrees to charge for parking as a separate cost to occupants. All units are to be unbundled from parking spaces. The purchase/rental agreement between the occupant and the property owner must be provided noting the cost of a parking space and the ability for occupants to opt in or out of having a parking space.
  - The Owner agrees to provide active uses at-grade along street frontages via sidewalk connectivity.
  - The provision of a bicycle service station equipped with tools for repair and maintenance on site. This must be shown on the plans including a detail of the proposed service station.
- c) The Owner submits an updated noise mitigation report and implements any recommendations to the satisfaction of the Town of Milton and that the owner provide confirmation by a qualified acoustical engineer that the required noise mitigation measures have been constructed to address the stationary noise sources and meet Class 1 under NPC-300.
- d) The Owner has made site plan application, including detailed design drawings and has entered into a site plan agreement to the satisfaction of the Town of Milton.
- e) The Owner provides an updated Pedestrian Wind Study as part of the site plan application to the satisfaction of the Town of Milton.
- f) The Owner has submitted, to the satisfaction of the Region of Halton, a Ministry of Environment, Conservation and Parks acknowledged Record of Site Condition for the subject lands, which demonstrate that the lands are free and clear for their intended use.

<b>13.2.1.73</b>	C2*268	079-2019	H37	August 12,2019
1050 BRONTE STREET SOUTH, LEGALLY DESCRIBED AS PART OF LOT 8, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MANAMAN CENTRE INC) - FILE Z-04/17				
For lands zoned Secondary Mixed Use Commercial Special Section with a Holding Provision (C2*268**H37), the H37 holding provision shall apply and shall not be removed until:				
<ul style="list-style-type: none"> <li>a) Regional Servicing Allocation has been secured to the satisfaction of the Region of Halton.</li> <li>b) The Owner has submitted, to the satisfaction of the Region of Halton, documentation demonstrating the subject lands are free and clear of contamination for their intended use. An update letter from a Qualified Person (QP) will be required to be submitted to the Region of Halton stating that the Record of Site Condition (RSC) for the site is still appropriate and that no potentially contaminating activity has occurred on the site since the RSC was issued. Should any updated documentation (i.e. Phase 1 and/or 2 Environmental Site Assessment (ESAs), etc.) be recommended as part of this process, the Region of Halton will require the documentation to be submitted along with a letter of reliance. ESAs must be completed to O.Reg.153/04 standards.</li> <li>c) The Owner must demonstrate to the satisfaction of the Town of Milton that they will be able to achieve all proposed TDM measures outlined in the Proposed Mixed-Use Development (Manaman Centre) Parking Study Update dated July 26, 2019 by WSP, including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the TDM measures are the responsibility of the Owner. The TDM measures are as follows: <ul style="list-style-type: none"> <li>• The provision of a minimum of 263 long-term secure bicycle parking spaces plus 28 at-grade short-term visitor bicycle parking spaces. The long-term bicycle parking areas must be locked and have access permitted to residents only. The bicycle parking facilities must comply with the City of Toronto Bicycle Parking Guidelines. The bicycle parking spaces must be shown on the plans including details of the lockers/racks;</li> <li>• The Owner agrees to charge for parking as a separate cost to occupants. All units are to be unbundled from parking spaces. The purchase/rental agreement between the occupant and the property owner must be provided noting the cost of a parking space and the ability for occupants to opt in or out of having a parking space;</li> <li>• The Owner agrees to provide active uses at-grade along street frontages via sidewalk connectivity; and</li> <li>• The provision of a bicycle service station equipped with tools for repair and maintenance on site. This must be shown on the plans in a convenient and accessible location including a detail of the proposed service station.</li> </ul> </li> </ul>				

<b>13.2.1.74</b>	RMD1*269	068-2019	H18	July 8, 2019
PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST)LIMITED) –TOWN FILE: Z-19/14				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H18” Holding provision are satisfied.				

<b>13.2.1.75</b>	RMD1*269	068-2019 006-2021	H34	July 8, 2019 /Feb 8, 2021
PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST)LIMITED) –TOWN FILE: Z-19/14				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H34” Holding provision are satisfied.				

<b>13.2.1.76</b>	RMD1*269	068-2019	H35	July 8, 2019
PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST)LIMITED) –TOWN FILE: Z-19/14				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H35” Holding provision are satisfied.				

<b>13.2.1.77</b>	RMD1*269	068-2019 112-2021	H38	July 8, 2019 Nov 15, 2021
PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST)LIMITED) –TOWN FILE: Z-19/14				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H38” Holding provision are satisfied.				
<b>REMOVED BY BY-LAW 112-2021 FOR LOTS 61-64 PLAN 20M-1230, LOTS 131-137 PLAN 20M-1236, AND LOTS 207 AND 208 ON DRAFT PLAN OF SUBDIVISION 24T-14014/M</b>				

<b>13.2.1.78</b>	RMD1*269	068-2019 006-2021	H39	July 8, 2019 /Feb 8, 2021
PART OF LOT 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST)LIMITED) –TOWN FILE: Z-19/14				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H39” Holding provision are satisfied.				

<b>13.2.1.79</b>	RMD1*273	081-2019 020-2022	H34	Aug. 12, 2020 /Mar 21, 2022
Part of Lots 6, Concession 3, N.S. (Trafalgar)				
For the lands zoned a site-specific Residential Medium Density 1*Special Section 273 (RMD1*273) on the property legally described as Part of Lots 6, Concession 3 N.S. (Trafalgar), only legally established existing uses are permitted on the lots covered by “H34” until the conditions for removal identified in the “H34” Holding provision are satisfied.				



<b>13.2.1.80</b>	MU*275	081-2019 020-2022	H40	Aug. 12, 2020 /Mar 21, 2022
Part of Lots 6, Concession 3, N.S. (Trafalgar)				
For the lands zoned a site-specific Mixed Use*Special Section 275 (MU*275) on the property legally described as Part of Lots 6, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted on the Blocks covered by “H40” until the conditions for removal identified in the “H40” Holding provision are satisfied.				
<b>13.2.1.81</b>	RMD1*273	081-2019 020-2022	H41	Aug. 12, 2020 /Mar 21, 2022
Part of Lots 6, Concession 3, N.S. (Trafalgar)				
For the lands zoned a site-specific Residential Medium Density 1*Special Section 273 (RMD1*273) on the property legally described as Part of Lots 6, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted on the lots covered by “H41” until the conditions for removal identified in the “H41” Holding provision are satisfied.				
<b>13.2.1.82</b>	RMD1*273	081-2019 020-2022	H42	Aug. 12, 2020 /Mar 21, 2022
Part of Lots 6, Concession 3, N.S. (Trafalgar)				
For the lands zoned a site-specific Residential Medium Density 1*Special Section 273 (RMD1*273) on the property legally described as Part of Lots 6, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted on the lots covered by “H42” until the conditions for removal identified in the “H42” Holding provision are satisfied.				
<b>13.2.1.83</b>	RMD1*269	075-2020	H43	Sept 21, 2020
PART OF LOT 7 AND 8, CONCESSION 1, N.S. FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON MAIN STREET HOMES (MILTON ONE) LTD.) - File: Z-16/14				
For the lands zoned a site-specific Residential Medium Density 1*Special Section 269 (RMD1*269) on the property legally described as Part of Lots 7 and 8, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted on the lots covered by “H43” until the conditions for removal identified in the “H43” Holding provision are satisfied.				
<b>13.2.1.85</b>	RMD1*220	011-2021	H35	Mar 01, 2021
PART OF LOT 6, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (PONY PINES DEVELOPMENT INC.) Town File: Z-13/20				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*220) on the property described as Block 508 and Block 509 on the plan of subdivision and as shown on Schedule A attached hereto, only legally established existing uses are permitted until the conditions for removal identified in the “H35” Holding provision are satisfied.				

<b>13.2.1.87</b>	RMD1*283	025-2021	H45	May 07, 2021
PART OF LOT 7, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY BROWNRIDGE LIMITED) - FILE: Z-01/20				
For lands with Holding Provision H45, the H45 Holding Provision shall apply and shall not be removed until the development to the north proceeds and/or the temporary cul-de-sac is no longer required to the satisfaction of the Town of Milton.				

<b>13.2.1.88</b>	RMD1*283	025-2021	H46	May 07, 2021
PART OF LOT 7, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY BROWNRIDGE LIMITED) - FILE: Z-01/20				
For lands with Holding Provision H46, the H46 Holding Provision shall apply and shall not be removed until such time as the development to the south proceeds and/or the temporary access road is no longer required to the satisfaction of the Town of Milton.				

<b>13.2.1.89</b>	RMD1*283	025-2021	H47	May 07, 2021 /July 18, 2022
PART OF LOT 7, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY BROWNRIDGE LIMITED) - FILE: Z-01/20				
For lands with Holding Provision H47, the H47 Holding Provision shall apply and shall not be removed until such time as the required noise mitigation measures have been finalized to the satisfaction of the Town of Milton and the Region of Halton.				

<b>13.2.1.90</b>	C3*217	028-2021	H48	Nov 4, 2019
BLOCK 394, REGISTERED PLAN 20M-1082, PARTS 1-7, 20R-20159, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON – (1945057 ONTARIO LIMITED) FILE: Z-10/16				
For lands zoned Local Commercial Special Section with a Holding Provision (C3*217-H48), the holding provision shall apply and shall not be removed until the following have been satisfied to the satisfaction of the Town of Milton:				
<ul style="list-style-type: none"> <li>a) The satisfactory submission of a Mothballing Plan and Conservation Plan (Phase 1). The Conservation Plan (Phase 1) is to focus on priority remediation work required to ensure that the heritage resource remains in sound condition with its heritage attributes.</li> <li>b) The Owner shall enter into a Heritage Conservation Easement Agreement with the Town of Milton to ensure the matters outlined in the submission of the Mothballing Plan and Conservation Plan (Phase 1) are implemented. A letter of credit for securities associated with the implementation of these items is to be provided.</li> <li>c) The Owner must demonstrate to the satisfaction of the Manager of Traffic that they will be able to achieve all proposed TDM measures outlined in Parking Utilization Study prepared by C. F. Crozier &amp; Associates Inc., dated July 2018 including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the above TDM measures are the responsibility of the Owner. The TDM measures are as follows:</li> </ul>				

- a. The provision of a minimum of 5 bicycle parking spaces above and beyond the minimum bicycle parking spaces required as per the Town of Milton’s Comprehensive Zoning By-law 016-2014 (HUSP Urban Area). The bicycle parking facilities must comply with the Town of Ajax and/or City of Toronto Bicycle Parking Guidelines. The bicycle parking spaces must be shown on the plans including details of the racks.
- b. The implementation of active uses at grade along street frontages. Safe and convenient pedestrian connections from the building entrances to municipal sidewalks/paths along the frontage of the site must be provided and shown on the plans.
- c. The provision of a minimum of two (2) Car Pool parking spaces in a priority location. These spaces shall be clearly identified (signed), demarcated, and reserved. This is to be shown on the plans including all pertinent details.
- d) The submission of the Region of Halton Site Screening Questionnaire, to the satisfaction of the Region of Halton.

<b>13.2.1.92</b>	RMD1*264	043-2021	H35	May 31, 2021
Part of Lot 6, Concession 3, Former Geographic Survey of Trafalgar, in the Town of Milton, Regional Municipality of Halton (Mil Con Three Developments Limited) – Town File: Z-09/20				
For the lands zoned a Residential Medium Density 1 Special Provision 264 (RMD1*264) on the property legally described as Part of Lot 6, Concession 3, N.S. (Trafalgar), only legally established uses are permitted until the conditions for removal identified in the “H35” Holding provision are satisfied.				

<b>13.2.1.95</b>	RMD1*291	043-2021	H52	May 31, 2021
Part of Lot 6, Concession 3, Former Geographic Survey of Trafalgar, in the Town of Milton, Regional Municipality of Halton (Mil Con Three Developments Limited) – Town File: Z-09/20				
For the lands zoned a Residential Medium Density 1 Special Provision 291 (RMD1*291) on the property legally described as Part of Lot 6, Concession 3, N.S. (Trafalgar), only legally established uses are permitted until the conditions for removal identified in the “H52” Holding provision are satisfied.				

<b>13.2.1.97</b>	UGC-MU*298	075-2021	H54	Aug 23, 2021
Part Lot 13, Concession 3, Town of Milton in the Regional Municipality of Halton and municipally known as 101 Nipissing Road (Fernbrook Homes (Milton Go) Construction Ltd.) Town File: Z-02/19				
For the lands with Holding Provision H54, the H54 Holding Provision shall apply and shall not be removed until:				
a) The Owner has made site plan application, including detailed design drawings and has entered into a site plan agreement to the satisfaction of the Town of Milton.				
b) The Owner has submitted, to the satisfaction of the Region of Halton, a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition for the subject lands, which demonstrate that the lands are free and clear for their intended use.				

<b>13.2.1.99</b>	UGC-MU*311	019-2022	H56	Mar 21, 2022
Part Lot 13, Concession 3, Former Geographic Township of Trafalgar, Town of Milton, Regional Municipality of Halton (Neatt Communities (Nipissing) Inc.) Town File: Z-08/21				
For the lands with Holding Provision H56, the H56 Holding Provision shall apply and shall not be removed until:				
a) The submission of a Letter of Reliance for the Phase 1 and Phase 2 Environmental Site Assessment pursuant to Ontario Regulation 153/04, and a Ministry of Environment and Climate Change acknowledged Record of Site Condition (RSC) is secured to demonstrate that the lands are suitable for the proposed residential development.				

<b>13.2.1.100</b>	M1*306	030-2022	H57	Apr 11, 2022 /Sep 12, 2022
Part Lot 10, Concession 5, Former Geographic Township of Trafalgar, Town of Milton, Regional Municipality of Halton (Broccolini Real Estate Group/Sun Life Assurance Company of Canada.) Town File: Z-01/21				
For the lands with Holding Provision H57, the H57 Holding Provision shall apply and shall not be removed until:				
a) An updated Transportation Impact Study has been reviewed and approved by the Region in accordance with the Region's Transportation Impact Study Guidelines and approved Terms of Reference for the lands.				
b) A satisfactory site plan for the proposed development approved by the Region which complies with the Region's Access Management Guideline and Access By-law No. 32-17 demonstrating the minimum spacing requirement of 300 metres for full movement accesses and 115 metres for right-in/right-out (RI/RO) accesses on Regional Roads.				

<b>13.2.1.101</b>	RMD1*315	039-2022	H58	May 9, 2022
Part of Lots 6 and 7, Concession 3, (Former Geographic Survey of Trafalgar) in the Town of Milton, Regional Municipality of Halton (Mattamy (Brownridge) Limited.) Town File: Z-01/20				
For lands with Holding Provision H58, the H58 Holding Provision shall apply to Lots 181 to 193 (inclusive) and 326 to 431 (inclusive) and Blocks 432 to 435 (inclusive), and Block 451 on the Draft Plan of Subdivision dated February 4, 2022, and not be removed until such time as there is an acceptable storm water management strategy in place to accommodate these units, to the satisfaction of the Town.				

<b>13.2.1.102</b>	RMD1*315	039-2022	H59	May 9, 2022
Part of Lots 6 and 7, Concession 3, (Former Geographic Survey of Trafalgar) in the Town of Milton, Regional Municipality of Halton (Mattamy (Brownridge) Limited.) Town File: Z-01/20				
For lands with Holding Provision H59, the H59 Holding Provision shall apply to Lots 414, 415, 416 and 417 on the Draft Plan of Subdivision dated February 4, 2022 and not be removed until such time as the excess lands currently part of the Fourth Line right-of-way are in the Owner's possession. The additional lands will be required to be merged with these lots				

<b>13.2.1.103</b>	RMD1*315	039-2022	H60	May 9, 2022
Part of Lots 6 and 7, Concession 3, (Former Geographic Survey of Trafalgar) in the Town of Milton, Regional Municipality of Halton (Mattamy (Brownridge) Limited.) Town File: Z-01/20				
For lands with Holding Provision H60, the H60 Provision shall apply to Lots 320 -325 on the Draft Plan of Subdivision dated February 4, 2022 and not be removed until				
<ul style="list-style-type: none"> <li>a) it is determined through detailed design that Block 463 (SWM Pond) is of sufficient size;</li> <li>b) such time as the lands to the south develop to the satisfaction of the Town of Milton and</li> <li>c) such time as the size of the stormwater management pond has been verified.</li> </ul>				
<b>13.2.1.104</b>	RMD1*315	039-2022	H61	May 9, 2022
Part of Lots 6 and 7, Concession 3, (Former Geographic Survey of Trafalgar) in the Town of Milton, Regional Municipality of Halton (Mattamy (Brownridge) Limited.) Town File: Z-01/20				
For lands with Holding Provision H61, the H61 Provision shall apply to Lots 300 to 303 (inclusive) on the Draft Plan of Subdivision dated February 4, 2022 and not be removed until such time as the lands to the south develop and to the satisfaction of the Town				
<b>13.2.1.105</b>	RMD1*315	039-2022	H62	May 9, 2022
Part of Lots 6 and 7, Concession 3, (Former Geographic Survey of Trafalgar) in the Town of Milton, Regional Municipality of Halton (Mattamy (Brownridge) Limited.) Town File: Z-01/20				
For lands with Holding Provision H62, the H62 Provision shall apply to Lots 228-230 (inclusive) and 250-252 (inclusive) on the Draft Plan of Subdivision dated February 4, 2022 and not be removed until it is determined through detailed design that the Town is satisfied with the design of the roundabout.				
<b>13.2.1.106</b>	RMD1*315	039-2022	H63	May 9, 2022
Part of Lots 6 and 7, Concession 3, (Former Geographic Survey of Trafalgar) in the Town of Milton, Regional Municipality of Halton (Mattamy (Brownridge) Limited.) Town File: Z-01/20				
For lands with Holding Provision H63, the H63 Provision shall apply to Lots 414-419 (inclusive) on the Draft Plan of Subdivision dated February 4, 2022 and not be removed until it is determined through detailed design that the Town is satisfied with the design of the roundabout.				
<b>13.2.1.107</b>	RO*317	047-2022	H64	May 30, 2022
Part of Lot 8, Concession 3, Former Geographic Survey of Trafalgar, Town of Milton, Regional Municipality of Halton (SIXTEEN MILE LAND CORP. AND YATES LAND (MILTON) CORP.) Town File: Z-16/20				
For lands with Holding Provision H64, the H64 Provision shall apply and not removed until such time as the following has been completed to the satisfaction of Halton Region:				
<ul style="list-style-type: none"> <li>a) An updated Stormwater Management &amp; Functional Servicing Report (FSR) and associated engineering drawings that have been reviewed and approved by Halton Region's Development Project Manager, demonstrating a site servicing scheme that is deemed acceptable by the Region for the proposed development.</li> </ul>				

- b) An updated Transportation Impact Study that has been reviewed and approved by Halton Region in accordance with the Region’s Transportation Impact Study Guidelines and the approved Terms of Reference for the lands.
- c) A satisfactory site plan for the proposed development approved by the Region which illustrates an access layout to the satisfaction of Halton Region in accordance with the Region’s Access Management Guidelines and By-Law 32-17.

13.2.1.108	FD*318	047-2022	H65	May 30, 2022
Part of Lot 8, Concession 3, Former Geographic Survey of Trafalgar, Town of Milton, Regional Municipality of Halton (SIXTEEN MILE LAND CORP. AND YATES LAND (MILTON) CORP.) Town File: Z-16/20				
For lands with Holding Provision H65, the H65 Provision shall apply and not removed until such time as the following has been completed:				
<ul style="list-style-type: none"> <li>i) to the satisfaction of Halton Region:                             <ul style="list-style-type: none"> <li>a) The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;</li> <li>b) The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;</li> <li>c) The Owner shall have made all required payments associated with the Allocation Program; and,</li> <li>d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.</li> </ul> </li> <li>ii) That until such time as the lands to the north, known as “Sargent Farms Limited” (Part of Lot 8 and 9, Concession 3, Trafalgar New Survey, Parts 1 to 4, Plan 20R-16749) are developed through a registered Plan of Subdivision and permanent alternative access is established, no further development may occur on the lands subject to H65 Holding Provision, to the satisfaction of the Town of Milton. It should be noted that the existing temporary access easement providing access from Yates Drive to the existing dwelling through lands owned by the Town of Milton may remain until such time as the “Sargent Farms Limited” lands are developed, to the satisfaction of the Town of Milton.</li> </ul>				

13.2.1.109	FD*319	047-2022	H66	May 30, 2022
Part of Lot 8, Concession 3, Former Geographic Survey of Trafalgar, Town of Milton, Regional Municipality of Halton (SIXTEEN MILE LAND CORP. AND YATES LAND (MILTON) CORP.) Town File: Z-16/20				
For lands with Holding Provision H66, the H66 Provision shall apply and not removed until such time as the following has been completed to the satisfaction of Halton Region:				
<ul style="list-style-type: none"> <li>a) The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;</li> <li>b) The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;</li> <li>c) The Owner shall have made all required payments associated with the Allocation Program; and,</li> <li>d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.</li> </ul>				

<b>13.2.1.110</b>	<b>MU</b>	<b>068-2022</b>	<b>H67</b>	<b>July 18, 2022</b>
Part of Lot 8, Concession 5, Former Geographic Township of Trafalgar, Town of Milton, Regional Municipality of Halton (MILTON III-75 LAND LIMITED.) Town File: Z-05/18				
For lands with Holding Provision H67, the H67 Holding Provision shall not be removed until the Owner has addressed the following requirements for all the units proposed for development to the satisfaction of the Region of Halton. The Region of Halton shall provide written confirmation that these matters have been addressed:				
<ul style="list-style-type: none"> <li>a) The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;</li> <li>b) The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;</li> <li>c) The Owner shall have made all required payments associated with the Allocation Program; and,</li> <li>d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.</li> </ul>				

<b>13.2.1.111</b>	<b>RO</b>	<b>070-2022</b>	<b>H68</b>	<b>July 18, 2022</b>
Part Lot 13, Concession 1, Former Geographic Township of Trafalgar, Town of Milton, Regional Municipality of Halton (VILLAGE DEVELOPMENT INC. & ORNELLA GROUP INC.) - File: Z-17/20				
For lands with Holding Provision H68, the “H68” Holding Provision shall not be removed until such time as the Owner has satisfied the following requirements and has provided written confirmation from CN Rail of the same:				
<ul style="list-style-type: none"> <li>a) Satisfactory Peer Review of the Crash Wall Design;</li> <li>b) Satisfactory Peer Review of the Noise and Vibration Report;</li> <li>c) Satisfactory Peer Review of the Stormwater Management Report;</li> <li>d) Completed and signed CN Development Agreement.</li> </ul>				

<b>13.2.1.113</b>	<b>RO</b>	<b>070-2022</b>	<b>H70</b>	<b>July 18, 2022</b>
Part Lot 13, Concession 1, Former Geographic Township of Trafalgar, Town of Milton, Regional Municipality of Halton (VILLAGE DEVELOPMENT INC. & ORNELLA GROUP INC.) - File: Z-17/20				
For lands with Holding Provision H70, that prior to the lifting of the “H70”, and prior to site alteration, servicing or grading of the site, the Owner shall have submitted Archaeological Assessment of the subject property and, if recommended, mitigate/salvage/excavate any significant resources to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries. No grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Heritage, Sport, Tourism and Culture Industries, being submitted to the Town of Milton and the Regional Municipality of Halton.				

<b>13.2.1.113</b>	64-2008	112-2011	H2	May 26, 2008
E/S of Tremaine Road, between Main Street and Derry Road Part of Lot 11 & 12, Conc. 1 NS (Trafalgar) (North, South, West and Northwest Derry Developments Limited)				
a) <i>Uses existing prior to passing of 64-2008 and a use by a public authority</i>				

<b>13.2.1.114</b>	UGC-MU UGC-MU-2	089-2022	H1, H2, H4, H31, H71, H72, H73, H74	Sep 12, 2022
Lands identified as Milton GO MTSA/Downtown Milton UGC on Schedule A of this By-law				
For lands zoned UGC-MU or UGC-MU-2 and subject to one or more of the holding zones listed above, the only uses permitted prior to the lifting of the Holding provisions are as follows:				
a) Legally established existing uses;				
b) Uses permitted in the UGC-MU-2 zone.				

<b>13.2.1.118</b>	UGC-MU2*118	76-2008	H2	June 23, 2008
Block 31 & 32, Part Lot 4, Plan 20M-285				
a) C1-E uses and a <i>Place of Worship</i>				

<b>13.2.1.168</b>	RMD1*264	061-2019 067-2020	H18	June 24, 2019 Aug 24, 2020
Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar)				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*264) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar) only legally established existing uses are permitted until the conditions for removal identified in the "H18" Holding provision are satisfied.				
<b>REMOVED BY BY-LAW 067-2020 FOR LOTS 30-42 ON THE DRAFT APPROVED PLAN OF SUBDIVISION (24T-17002/M)</b>				

<b>13.2.1.169</b>	RMD1*264	061-2019 067-2020 042-2021	H25	June 24, 2019 Aug 24, 2020 May 31, 2021
Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar)				
For the lands zoned a site-specific Residential Medium Density 1 (RMD1*264) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar) only legally established existing uses are permitted until the conditions for removal identified in the "H25" Holding provision are satisfied.				
<b>REMOVED BY BY-LAW 067-2020 FOR LOTS 538, 539, 541, 542 AND 544-546 ON THE DRAFT APPROVED PLAN OF SUBDIVISION (24T-17002/M)</b>				
<b>REMOVED BY BY-LAW 042-2021 FOR LOTS 119 AND 120 ON PLAN 20M-1227</b>				



<b>13.2.1.170</b>	RMD1*264 RHD*266	061-2019 009-2020 067-2020 042-2021 095-2021 060-2022	H34	June 24, 2019 Feb 10, 2020 Aug 24, 2020 May 31, 2021 Oct 25, 2021 June 20, 2022
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Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar)

For the lands zoned a site-specific Residential Medium Density 1 (RMD1\*264) and a site-specific Residential High Density (RHD\*266) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the "H34" Holding provision are satisfied.

**REMOVED BY BY-LAW 009-2020 FOR LOTS 185-191 AND 194-204, PLAN 20M-1219  
REMOVED BY BY-LAW 067-2020 FOR LOTS 39-42, 94, 95, 343-345, 364-367 AND 453-457 ON THE DRAFT APPROVED PLAN OF SUBDIVISION (24T-17002/M)  
REMOVED BY BY-LAW 042-2021 FOR LOTS 173-176 ON PLAN 20M-1219  
REMOVED BY BY-LAW 095-2021 FOR LOTS 172 AND 177 ON PLAN 20M-1219  
REMOVED BY BY-LAW 060-2022 FOR BLOCK 586 ON DRAFT APPROVED PLAN OF SUBDIVISION 24T-17002/M**

<b>13.2.1.171</b>	RMD1*264	061-2019	H35	June 24, 2019
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Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar)

For the lands zoned a site-specific Residential Medium Density 1 (RMD1\*264) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the "H35" Holding provision are satisfied.

<b>13.2.1.172</b>	RMD1*264	061-2019 009-2020 067-2020	H36	June 24, 2019 Feb 10, 2020 Aug 24, 2020
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Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar)

For the lands zoned a site-specific Residential Medium Density 1 (RMD1\*264) on the property legally described as Part of Lots 6 and 7, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the "H36" Holding provision are satisfied.

**REMOVED BY BY-LAW 009-2020 FOR LOTS 60-62, 94, 95 AND 180-184, PLAN 20M-1219  
REMOVED BY BY-LAW 067-2020 FOR LOTS 178 AND 179 ON PLAN 20M-1219**

### 13.3 TEMPORARY USE ZONES

Where on Schedules to this By-law, a *zone* symbol is preceded by the letter “T” and a dash, and followed by a *Zone* designation and a number (for example T-A1-1), one or more additional *uses* are permitted on the lands noted until the permission granted by the site specific By-law expires. Section 13.3.1 identifies the Temporary *Use Zones* within the municipality.

#### 13.3.1. List of Temporary *Use Zones*

The following temporary *use* provisions apply to the properties specified:

Section No.	By-law No.	Zoning Designation	Date Enacted	Date Permissions Terminate
Property Description				
Additional Permitted <i>Uses</i>				
13.3.1.1		T1-A1	June 18/01	June 18/04 <b>LAPSED</b>
East Side of Regional Road No. 25, South of Derry Road (Marchiello)				
a) A nine hole <i>golf course</i> b) A <i>miniature golf course</i>				
13.3.1.2	11-2001 5-2004	T2-C1E	Jan 29/01	Jan 26/07
917 Nipissing Road (Milton Community Resource Centre)				
a) A nursery school				
13.3.1.3	71-2001 38-2004 109-2004	T3-C1A	June 18/01	June 18/04
26 Charles Street				
a) one <i>apartment</i> unit on ground				
13.3.1.4	41-2005 38-2019	T4-FD*57	Apr 25/05	Apr 25/08
NE corner of Britannia & First Line Part of Lot 6, Conc 2 (Trafalgar) (Main Sales Estates Inc)				
<b>DELETED</b>				

<b>13.3.1.5</b>	53-2005	T5-A2*58	May 24/05	May 24/15
3058 30 Side Road Part Lot 30, Conc 4 (Nassagaweya) (Timmerman)				
a) a <i>garden suite</i>				

<b>13.3.1.6</b>	69-2005	T6-NHS*62	June 27/05	June 27/15
8469 First Line (Nassagaweya) (Bija)				
<b>SUBJECT TO 144-2003 PERMITTED USES AND PROVISIONS</b>				

<b>13.3.1.7</b>	103-2005	T6-NHS*62	Aug 8/05	Aug 8/08
53-57 Steeles Avenue East (1543469 Ontario Limited/ <i>previously Rock'n'Bull</i> )				
a) a <i>motor vehicle repair garage</i> with the exception of a <i>motor vehicle service station</i>				

<b>13.3.1.8</b>	94-2006 102-2006	T8-FD*87	Sept 25/06	Sept 25/09
Part Lot 9, Conc 1 (Trafalgar) [Mattamy (Milton West) Limited]				
a) a <i>house assembly factory</i>				

<b>13.3.1.9</b>	71-2007	T9-IA	July 16/07	July 16/10
263 Britannia Road East Part Lot 6, Conc 7 (Trafalgar) (French Catholic Elementary <i>School</i> )				
<b>SUBJECT TO BY-LAW 144-2003 PERMITTED USES AND PROVISION</b>				
a) An elementary <i>school</i> (Grades JK-8)				

<b>13.3.1.10</b>	OMB Order Oct. 16/14 (PL140294)	T10-C6*206	Oct. 16, 2014	July 21/17
8750 REGIONAL ROAD 25, PART LOT 5, CONCESSION 2, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING (TOWN FILE Z-08/14)				
<p><b>i) Additional Permitted Uses</b></p> <ul style="list-style-type: none"> <li>i) Builders Supply Outlet</li> <li>ii) Dry Cleaning Establishment</li> <li>iii) Industrial Use (subject to special site provisions below)</li> <li>iv) Motor Vehicle Repair Shop</li> <li>v) Motor Vehicle Body Shop</li> <li>vi) Research and Technology Use</li> <li>vii) Service and Repair Shop</li> <li>viii) U-Brew Establishment</li> <li>ix) Warehouse/Distribution Centre</li> </ul> <p><b>ii) Special Site Provisions:</b></p> <ul style="list-style-type: none"> <li>a) Notwithstanding Section 5 of this By-law, to the contrary, the permitted uses within the existing building shall be exempt from providing any additional parking. In no case, shall existing parking spaces be removed or otherwise occupied.</li> <li>b) Industrial uses shall be subject to the following provisions: <ul style="list-style-type: none"> <li>1. Only Industrial operations within a wholly enclosed building are permitted. No outdoor storage is permitted.</li> <li>2. Up to a maximum of 5% of the gross floor area of the principal use or 232.3 m<sup>2</sup>, whichever is less, may be used for the retail sale of goods or products produced on the premises.</li> </ul> </li> </ul>				

<b>13.3.1.11</b>	OMB Order 2885 (20-2009) 034-2011 022-2014 095-2016	T11-FD*112	June 3/08 Mar 28/11 Feb 24/14 Nov 26/2016	June 3/11 Mar 28/14 Feb 24/17 Nov 26/2019
6516-6566 Sixth Line Part Lot 9, Conc VI (Trafalgar) (Radha Soami Society Beas – Canada)				
<p><b>Additional Permitted Use:</b> A Study Centre</p> <p><b>Special Definition:</b> Study Centre means a non-profit, non-commercial organization which carries on cultural, social, athletic or recreational activities and includes the premise of a fraternal or charitable organization.</p> <p><b>Special Site Provisions:</b> Notwithstanding the requirements of Section 5.1 ii), 5.5.1. i) b) and 5.13.2 to the contrary, the following site specific provisions shall apply to the temporary use:</p>				

- a) the required parking spaces may have a gravel or grassed surface treatment with a minimum of 40 spaces having a gravel surface and the required disabled parking spaces having a hard surface treatment;
- b) the driveway access may be gravel surface treatment with the exception of the first 30 metres adjacent to Sixth Line which shall an asphalt surface treatment, and the driveway access shall have a minimum width of 6.0 metres and maximum width of 7.5 metres; and
- c) parking shall be provided on the basis of the greater of 1 parking space per 4 seat capacity or 1 parking space per 9 square metres of gross floor area.

13.3.1.13	060-2020 059-2021	T13-I-B*135 T13-OS	July 20/2020 June 22/2021	Aug 31/2021 Aug 31/2022
PART OF LOT 8 CONCESSION 2 TRAFALGAR NEW SURVEY PARTS 2 & 12 ON 20R18877 & PART 1 ON 20R18903 KNOWN AS <b>1145 BRONTE STREET SOUTH</b> ; PART OF LOT 9 CONCESSION 2 TRAFALGAR NEW SURVEY PARTYS 13 & 25-34 ON 20R15817 & PARTS 14-16 ON 20R13244 & PARTS 1-4 & 7-13 ON 20R3274 KNOWN AS <b>805 SANTA MARIA BOULEVARD</b> ; AND BLOCK 153 PLAN 20M959 KNOWN AS <b>920 KENNEDY CIRCLE</b> IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON CATHOLIC DISTRICT SCHOOL BOARD AND THE COPORATION OF THE TOWN OF MILTON (FILES: Z-04/20 & Z-08/20)				
<ul style="list-style-type: none"> <li>i. Notwithstanding anything to the contrary, a minimum of 1.84 parking spaces per classroom shall be provided on the property zoned T13-IB*135.</li> <li>ii. Notwithstanding anything to the contrary, a minimum of 99 total parking spaces shall be available for use by the Halton Catholic District School Board on the properties zoned T13-OS.</li> <li>iii. Notwithstanding anything to the contrary, the minimum number of required parking spaces can be reduced by a maximum of 99 parking spaces on the properties zoned T13-OS.</li> </ul>				

13.3.1.14	085-2021	T14-M2	Sep 13, 2021	Sep 13, 2024
PART LOT 1, CONCESSION 3, ESQUESING, PARTS 1 AND 3, PL 20R8010 AND MUNICIPALLY KNOWN AS 295 ALLIANCE ROAD, UNIT 10, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (CARLTON PLACE PLAZA INC.) – Town File: Z-14/21				
<p><b>i) Additional Permitted Use</b></p> <ul style="list-style-type: none"> <li>i) Cannabis Production and Processing Facility For the purposes of this by-law, a Cannabis Production and Processing Facility means a premises used for the production, processing, testing, researching, destroying, packaging and/or shipping of cannabis where a license, permit or authorization has been issued under applicable federal law. For the purposes of this definition, production shall include the growing and harvesting of cannabis and processing shall include the extraction of cannabis oil and the manufacturing of products containing cannabis.</li> </ul> <p><b>ii) Special Site Provisions:</b></p>				

- a) Notwithstanding the definition above to the contrary, processing shall only be permitted for the purposes of conducting research or testing under a Research and/or Analytical Testing License that has been issued by Health Canada.
- b) Notwithstanding the requirements of Section 8.3.2., the following site specific provisions shall apply to the temporary use:
  - i. The facility operations shall be located within a wholly enclosed building.
  - ii. Outdoor storage is not permitted.
  - iii. The minimum setbacks for a Cannabis Production and Processing Facility, from the zones listed below, shall be in accordance with the following:  
  
From a Residential, Institutional, or Open Space Zone: 70 metres
  - iv) Notwithstanding any provisions of this by-law to the contrary, an accessory building or structure used for security purposes for a Cannabis Production and Processing Facility is permitted in any yard and shall not be subject to required setbacks.
- c) Notwithstanding any provisions of Section 4.14.2 to the contrary, waste storage shall be contained within a principal building.

13.3.1.15	048-2022	T15-I-A*267	May 30, 2022	Aug 31, 2024
BLOCK 243 PLAN 20M-1219 FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON CATHOLIC DISTRICT SCHOOL BOARD.) – FILE: Z-29/21				
<b>Additional Permitted Uses:</b>				
i) Secondary School				
<b>Special Site Provisions:</b>				
ii) Notwithstanding the provisions of Section 5.8.2 ii, Table 5G (38-2019), parking for a Secondary School shall be provided at a rate of 2.43 spaces per classroom.				

**13.4 INTERIM CONTROL ZONES**

Where on Schedules to this By-law, a *zone* symbol is followed by a dash and the letter "I" (for example C4-I), no change in *use* and no construction of any *buildings* or *structures* is permitted until the expiry of the site specific By-law affecting the lands. Lands affected by site-specific interim control By-laws are catalogued in Section 13.4.1. of this By-law.

**13.4.1. List of Interim Control Zones**

The following interim control by-laws apply to the properties as specified:

Section No.	By-law No.	Zoning Designation	Date Enacted	Date Permissions Terminate
Property Description				
Applicable Provisions				
13.4.1.1	039-2010	All	March 29, 2010	March 28, 2011
Town wide				
Notwithstanding the permitted uses and regulations of By-law 144-2003, as amended, no person shall use any land, <i>building</i> or <i>structure</i> , or expand any <i>use</i> on the land, or <i>use</i> or erect any <i>building</i> or <i>structure</i> , including any addition for the purposes of a power generation facility with capacity of greater than 10 megawatts.				
13.4.1.2	082-2020 113-2021	RLD RMD1	October 19, 2020	October 19, 2021 Revised to Mar 19, 2022
VARIOUS PROPERTIES WITHIN THE MATURE NEIGHBOURHOODS AS SHOWN ON SCHEDULE A TO BY-LAW 082-2020				
No land, building or structure subject to this by-law shall be used for an "Intensified Residential Use"				
For the purposes of this By-law, the following definitions shall apply:				
A. "Complete" for the purposes of Sections 5 and 7 means:				
i) For a Building Permit means an application for a Building permit that satisfies the requirements set out in Building By-law 123-2011 or its successor by-law;				
ii) For a Minor Variance means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act;				
iii) For Site Plan Approval means an application which satisfies the requirements set out in the Town of Milton Official Plan; and				

- iv) For Draft Plan of Subdivision approval, Official Plan and Zoning By-law Amendments means an application which satisfies the requirements of the Planning Act, the Town of Milton Official Plan and has been deemed complete by the Town of Milton.
  - B. “Dwelling” means a single detached, semi-detached, duplex, triplex, quattroplex or townhouse residential building
  - C. Gross Floor Area means the aggregate of all floor areas of a building or structure above or below established grade, which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an interior court shall be deemed to be exterior walls.
  - D. “Intensified Residential Use” means:
    - i) A new Dwelling that exceeds by 25% or more the Gross Floor Area of any Dwelling that existed on the same lot on the date of passage of this By-law; or
    - ii) An addition to an existing Dwelling such that the new Gross Floor Area of such dwelling exceeds by 25% or more the Gross Floor Area of such a Dwelling as it existed on the date of passage of this By-law; or
    - iii) A new Dwelling or addition or a Dwelling that increases the height of the structure beyond that which existed on the same lot on the date of passage of this By-law; or
    - iv) A new Dwelling on land that was vacant on the date of passage of this By-law or becomes vacant by means of a consent to sever under the Planning Act during the period of time when this By-law is in effect.
- For greater certainty:
- i) if a building permit application filed in accordance with the Ontario Building Code Act was Complete on or before the date of passage of this By-law, then this By-law does not preclude the issuance of said building permit.
  - ii) Nothing in this By-law shall prevent the registration of a Plan of Subdivision, which has received draft plan approval on or before the passage of this By-law. Lots within the said registered Plan of Subdivision shall be eligible for building permits in accordance with the approved zoning by-law for the lands.
  - iii) For Official Plan Amendment, Zoning By-law Amendment, Site Plan Approval or Minor Variance applications within the defined area that could permit the lands to be used for an Intensified Use shall be deemed contrary to this By-law and are prohibited.
  - iv) Any Complete application for Official Plan Amendment, Zoning By-law Amendment, Site Plan Approval or Minor Variance under the Planning Act within the defined area that exists on or before the date of passage of this By-law shall be exempt from this By-law and be eligible to apply for building permits in accordance with the approved zoning for the lands.



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**SECTION 14  
ENACTMENT**

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**14.1 FORCE AND EFFECT**

This By-law shall come into force and effect on the day that it was passed if no appeals are received.

If an appeal(s) is received, this By-law, or portions thereof, shall come into force when such appeals have been withdrawn or finally disposed of whereupon the By-law, except for those parts or provisions repealed or amended, shall be deemed to have come into force and effect the day the By-law was passed.

**14.2 READINGS BY COUNCIL**

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24<sup>th</sup> DAY OF FEBRUARY, 2014.**

\_\_\_\_\_  
Gordon A. Krantz Mayor

\_\_\_\_\_  
Troy McHarg Clerk

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**SECTION 15**  
**SCHEDULES**

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# **APPENDIX TO DRAFT BY-LAW: ILLUSTRATIVE DEFINITIONS**